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HISTORY OF ENGLAND

From the Earliest to the Present Time

IN FIVE VOLUMES

BY

SIR EDWARD S. CREASY, M.A.

EMERITUS PROFESSOR OF HISTORY IN UNIVERSITY COLLEGE, LONDON; LATE FELLOW OF KING'S COLLEGE, CAMBRIDGE

VOLUME II

COMPLETING

THE HISTORY DURING THE EARLY AND MIDDLE AGES

LONDON
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CHAP. I.

1307.

AT the death of King Edward I., Scotland escaped subjugation, even as eleven hundred years before, Caledonia had escaped that fate at the death of the Emperor Severus.* In each case a weak and profligate son disobeyed the dying injunctions of a

Edward II., like Caracalla, abandons

* See vol. i. p. 66.

CHAP. I.

1307.

veteran conqueror, and dropped irretrievably the prize which a prompt and persistent grasp would have secured. Edward II. was insensible to glory; and regardless of filial as well as of regal duty. His sole desire was for a speedy return to the society of his favourite Gaveston. King Edward I., only three months before his death, had, with the consent of Parliament, banished Gaveston from the realm as a corrupter of the Prince; but almost the first act of the new King was to recall this pernicious minion, on whom he forthwith lavished the dignities and treasures of his kingdom, and whom he encouraged in insolence and injury towards his father's old counsellors, and towards the most powerful nobles of the land.

the conquest of North Britain.

His devotion to his favourite Gaveston.

Gaveston recalled from banishment.

When Edward I. died, the English army had advanced without resistance as far as Cumnock in Ayrshire; it was admirably appointed, and was officered by the old King's victorious veterans. Bruce could collect no forces sufficient to cope with it, or even to impede its progress. The greater number of the Scotch fortresses were still held by English garrisons. The majority of the Scotch nobles were still willing to acknowledge the sovereignty of the King of England, of which they gave proof by doing homage to young Edward at Dumfries on the 6th of August, 1307. But on the 15th of that month the English advance was stayed, and the main English army was disbanded by the imbecile youth, when in a few weeks it would have made him certain monarch of the whole island. The new King of England then hurried back southward to complete one of the most wretched and dishonourable reigns that are recorded in any history.

Withdrawal of the great English army from Scotland, when there was nothing in the field to oppose it; and when Bruce's position was desperate.

As we find peculiar attraction and instructiveness

in even the smallest anecdotes respecting the friendly intercourse, which great and wise sovereigns maintain with the men of merit in arms, in arts, in learning, in policy, and in laws, whom such princes love to bring around them; so on the other hand, the narratives are pre-eminently repulsive and profitless, that offer to posterity the details of how foolish kings consort with worthless favourites. It is true that the trifling, yet offensive tale of royal debasement and of upstart arrogance has usually a grim moral at its conclusion; and both princes and their parasites may be warned by the punishments, which such criminal folly has often received at the hands of a jealous nobility and an indignant people. But the vengeance dealt in such cases, whether by the democracy, or by the aristocracy, or by both, has too commonly been sullied by so much treachery and cruelty, as to leave behind not only a just sympathy for the sufferers in their extreme of misery, but also a considerable degree of mischievous partiality for their general character, which makes many seek to palliate their crimes, and throw unmerited odium on their opponents. These remarks apply to more than one King of England, and to more than one train of royal favourites; but they apply to none more strongly than to Edward II., and to those whom he dishonoured himself by delighting to honour. The careers of Edward's favourites will be only briefly noticed in this place; although there will be occasion again to allude to them, and to the dissensions which they caused between the King and his barons, when we come presently to consider the important constitutional events and ordinances of this reign.

Worthlessness of the history that deals in detail with royal favouritism.

Still it has its moral lessons sternly taught.

National vengeance on royal self-debasement and parasitic insolence,

too often sullied by treachery and cruelty.

The consequences of which are a reaction in the minds of many, and a tendency to justify the measures and conduct of the over-punished royal and royalist wrong-doers.

Influence of Edward II.'s favourites on our constitution, through the dissensions which they

The domination of Gaveston over Edward II. lasted with brief intermission until 1312, when that foolish

CHAP. I.

1310.

created between the king and his barons, and the consequent struggles between royalty and aristocracy.

Gaveston put to death by the Earl of Lancaster, 1312.

Ordinances of 1310.

and insolent young Gascon was beheaded by the order, and in the presence of the Earl of Lancaster, who was the first prince of the blood-royal, and who led the English nobles in their armed opposition to the King and his favourite. Two years before this time, in 1310, the Parliament had compelled the King to join in the appointment of Lords ordainers, consisting of the Archbishop of Canterbury, seven bishops, and thirteen barons, with power to draw up ordinances for the better regulation of the King's household. It was also enacted that no royal grant of lands should be valid without their assent, and the King's former grants were to be revoked. The King was not to make war, or go out of the kingdom, without the approbation of the barons in Parliament. The chief officers of the Crown were to be appointed with their consent. All evil counsellors were to be banished. A short Act was also passed in this session, providing that a Parliament should be held "every year, and oftener if need be." Gaveston had fled before the meeting of this Parliament in 1310. He had been recalled by the King early in 1312, and reinstated in all his obnoxious ascendancy and favour. The Earl of Lancaster then headed the armed rising of the barons, and besieged Scarborough Castle, in which the King had placed Gaveston for safety. The troops, that the King raised, refused to fight against their countrymen for Gaveston: Scarborough surrendered, and Gaveston was executed. King Edward was obliged to make peace with his barons, and to promise them a formal pardon for Gaveston's death. Ten years afterwards the King avenged his favourite's fate upon the Earl of Lancaster, who was captured by the Royalists at Pontefract during a renewal of civil war, in which Edward showed unusual energy, and obtained the sole military suc-

Lancaster put to death by Edward, 1322.

cess of his life. In the meantime he had taken to himself a new favourite, Hugh le Despenser, or Spenser, a young Englishman, whose birth and abilities made him a somewhat less unworthy object of the royal regards than Gaveston ; and whose father, Hugh le Despenser the elder, appears to have been a nobleman of high personal character, and to have become involved with little or no blame of his own in the fortunes of his son at Edward's Court. But although a rational amount of royal esteem, and even favour, might have been well bestowed upon the Spensers as men of rank and merit, such was the reckless prodigality with which the King heaped honours, gold, and lands on them,—his besotted fondness for the company of the younger one was displayed with such disregard of royal, and even of manly dignity,—that the hatred of the nobles and of the nation generally was roused against both father and son, as fiercely as it had raged against Gaveston. Unwarned also by the fate of that minion, the younger Spenser brought both personal and public enmity on himself and his family, by the arrogance of his demeanour, by his rapacity in grasping after forfeitures, and by the jeers and sarcasms at the expense of the leading men among the nobility, with which he amused the shallow King and the other buffoons of the Court. Risings in arms and civil war followed, in which the barons were at first successful, and in 1321 the King was obliged to assent to a decree of the Parliament, banishing the Spensers for ever from the realm.

1310-1321.

The Spensers.

Hugh le Despenser the younger, the king's new favourite.

The Spensers, men of mark and merit, but the king's partiality excessive.

Their unpopularity with the nation.

Personal hatred of many of the nobles towards them.

The nobles take up arms to procure the downfall of the Spensers.

Success of the baronial party.

The Spensers banished in 1321.

In the following year both parties were again in arms; and now it was that the King obtained the advantages in the war, which enabled him to put to death Lancaster and other chiefs of the baronial party. The Spensers

The king has the advantage, and recalls the Spensers, 1322.

CHAP. I.

1307-1314.

were immediately called back to England by the King's command, and were retained by Edward in their ignominious ascendancy until the successful attack made on him and them by the Queen and the nobles in 1326, which will require our attention when we come to the close of this reign.

He retains them near him, till they and he perish in 1326.

We have seen that the abandonment of the conquest of Scotland had been the first act of Edward II. on becoming King. We must now watch the vehement but vain effort which he made seven years afterwards to resume and complete the task of bringing the whole island under a single sceptre. The disastrous failure of his attempt, and the retaliatory attacks which the victorious Scots made upon the English in Ireland, as well as in Britain, will cause us to revert to the special subject of Anglo-Irish history. We shall have to consider the position both of the English immigrants and of the natives in the western island since the apparent conquest which had been made in the time of Henry II. The reality of the English conquest cannot be said to have been decided till the failure of the great effort made by the Irish against Edward II.'s commanders in Ireland, at the time when England was weakened by the disasters of her warfare against the Scots. Indeed the reign of Edward II., though one of little interest so far as regards the intercourse between England and the nations of the continent, is one of very great importance with regard to the relations of this country with both Scotland and Ireland. If Bruce's victory at Bannockburn in 1314 confirmed the independence of Scotland for centuries, Phelim O'Connor's defeat at Athunree in 1316 was almost equally decisive in establishing and in perpetuating Ireland's subjection.

Scottish affairs.

Their consideration leads to that of Irish affairs also.

Reign of Edward II. an important epoch in Anglo-Irish, as well as in Anglo-Scottish history.

Bannockburn decided Scotland's independence.

Athunree decided Ireland's subjection.

The period which Edward wasted after his retreat

from Scotland in 1307 had been vigorously and skilfully employed by Bruce in reducing the strongholds of the English in Scotland, in extending his own influence among his countrymen, and in training a small but gallant band of captains, some of whom almost equalled their great chief in sagacity and skill, as well as in personal prowess and bravery. Not content with the almost total expulsion of the English from the northern kingdom, the Scots made inroads into Cumberland and the adjoining English counties, which became more and more daring and devastating. The complaints of the English people at the tidings that the garrison of Stirling Castle (almost the only Scottish fortress still in English hands) had been obliged to make terms with Bruce, by which that stronghold was to be surrendered, unless relieved by an English army within a stipulated time, at last roused Edward into activity. The full power of England was assembled at Berwick; and on the 18th of June, 1314, the English King led as splendid and as numerous an army across the borders as this country has ever sent into the field. Bruce's forces were far inferior; but his own consummate generalship, and the ability with which Randolph, Douglas, the Stewart, Edward Bruce, and the other Scottish officers carried out his plans, more than compensated for the disparity of numbers. On the English side King Edward showed some personal courage, but displayed utter incompetency as a commander. The two armies encountered at Bannockburn, near Stirling, on the 24th of June, 1314, and the result was the most complete overthrow that the military power of England has ever sustained. English troops have met repulses and reverses before and after the day of Bannockburn; there have been many wars in the course of which

Energy and skill of Bruce in using the respite given him by the English king in 1307.

He makes himself effective king of Scotland, and almost entirely frees that country from the English forces.

Edward II. collects the full power of England for the Scottish war.

Military skill of Bruce and his captains.

Edward's incompetency as a general.

Battle of Bannockburn, 1314.

The greatest defeat ever experienced by the English arms.

CHAP. I. 1314.

small English armies have been routed, destroyed, or captured; but never, except at Bannockburn, was the largest and the best English army, that the land at the time could send forth, beaten in a fair pitched battle by a numerically inferior foe. The full force of England was then not only beaten, but routed,—not only routed, but hounded by its victorious enemies for miles and miles off the field of Bannockburn in bloody chase and panic flight. The effect on the Scottish nation of this glorious victory was not limited to the generation then in being, great as were its immediate results. Bannockburn became to the Scots of all ages what Marathon was to the Greeks. It was and is a word that calls up feelings of just pride for a triumph boldly and wisely won over a powerful foe—so powerful as to have been previously regarded as possessing, if not invincibility, such preponderating strength, as to make an encounter with it almost hopeless. The noble patriotism and stubborn courage, which thenceforth became nationalised in Scotland, may best be expressed in the very words of the Scottish men of that age, many of whom must themselves have been among the survivors of Bannockburn. The Pope by the proclamation to two of his cardinals, who at the time were in Edward's Court, declared Bruce and his adherents to have incurred excommunication on account of their non-observance of a truce which the Papal Legate ordained at the end of the year 1317. The Scottish Parliament in 1318 sent a memorial to the Pope, which in the name of the people of Scotland deprecated his Holiness' displeasure. But at its conclusion the Scots thus made their declaration of independence:—"We have been freed from the English yoke by Robert Bruce, who has been made our King by Divine Providence,

Effect of the victory on the Scotch.

Bannockburn the Scottish Marathon.

Noble expression of noble feeling by the Scottish warriors and chiefs of that age.

Memorial of the Scottish parliament to the Pope, 1318.

Their gratitude to Bruce, the Liberator.

by his own hereditary right, and by our lawful and unanimous consent. But if he should betray us, we would treat him as an enemy, we would choose another King, and we would hold English domination at defiance as long as a hundred Scots remain. Freedom is what we seek for: and freedom is what no good man would wish to outlive. Let the King of England be content with his own dominions, which once sufficed for seven kings, and let him leave Scotland to the Scots—Scotland the extreme of the habitable earth, and rough and barren, but dear to us because it is our own country, our country which we wish to possess in peace. We are the Pope's obedient children as far as a higher duty allows. But we commit the protection of our country's cause to God, as the Supreme Judge of all. We cast all our care upon God: and we put our trust in God that He will enable us to do valiantly, and that He will tread down all our enemies."*

But even if he should desert them, they will not yield to the English.

They will have a king of their own, and will defy English domination as long as a hundred Scots have breath.

England for the English.

The Scots will have their own Fatherland to themselves.

Brave words; and the large utterance of men whose deeds were as brave as their words.

They have a higher duty than their duty to the Pope.

During the four years that had elapsed between the battle of Bannockburn and this Grand Remonstrance in behalf of Scottish independence, the usual border warfare had been waged with increasing vigour on the part of the Scots, and more and more feebly by the English. But the Bruces did not limit their bold projects to this island. The general weakness of the English state at this period, and the feebleness of the English occupants of Ireland, gave Edward Bruce, the younger brother of King Robert, a bold, but a not unreasonable hope of winning a kingdom there for himself, as his brother had acquired one in

God is to judge between Scotland and her enemies.

Trusting in God they will fight and conquer.

The Scots attack the English in Ireland.

* This Manifesto will be found at length in Mr. Tytler's History.

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1315-1318.

Schemes of Edward Bruce.

Condition of Ireland.

Rapidity of the first conquests effected by the English there.

The very causes which made the conquest rapid, made it imperfect and insecure.

Difference between centralised and many-headed power in resisting invaders.

Scotland. We have seen* the facility with which the Anglo-Norman nobles of Henry II. made good their landing on Irish ground; their alliances with some of the Irish princes, and their victories over others; we have marked the ample domains of which they acquired possession; and we have seen also the readiness with which King Henry obtained from the various native rulers of the land an acknowledgment of him as their Sovereign Lord. But some of the very causes which facilitated the English invasion of Ireland, and which contributed to the early successes of the invaders, made their conquest imperfect and their occupation insecure. The want of centralised and centralising authority, by which the national forces might have been collected and wielded against the stranger, had caused the Irish nation to fall seemingly without even a vigorous resistance. But the same want of imperial centralisation, which made Ireland so unable to repel the first attacks of the Anglo-Norman power, gave her, in her little kingdoms, her septs and tribes, innumerable local centres for opposition to the thorough establishment of the conqueror's dominion, and supplied ever-ready means for attempts at reconquest and revenge.†

The first acquisitions of the English in Ireland were

* Vol. i. p. 196.

† See the admirable historical introduction to M. De Beaumont's work on Ireland. He most truly observes (Tome i. p. 28), "La division indéfinie des forces sociales dans un pays en facilite singulièrement l'invasion; j'ajouterai que rien n'est plus contraire que ce fractionnement à l'établissement durable du vainqueur dans le pays conquis. Ce qui, dans le premier cas, est pour la nation envahie une cause d'extrême faiblesse, devient, dans le second, le plus grand moyen de force. Autant il est malaisé pour le peuple combattant l'invasion de réunir subitement tous ses éléments d'action ainsi divisés; autant il devient difficile pour le vainqueur de dompter, après l'invasion, cette multitude de forces partielles, disseminées çà et là sur toute l'étendue du territoire, et qui toutes apportent dans la lutte le même tribut

in part of the province of Leinster and in the south of the province of Munster. This territory was called the English Pale, or, more commonly, simply the Pale. Its boundaries fluctuated according to the alternations of success in the almost incessant wars between the two races. But for nearly five centuries after the landing of the English, from the reign of Henry II. to that of Elizabeth, two-thirds of Ireland were practically unconquered ground. At times, indeed, the English possessions, instead of extending to even as much as a third of the island, were limited to a narrow territory round Dublin, and to the occupation of the other commercial cities of the sea-board. The condition in which the Anglo-Norman barons in Ireland found themselves placed relatively to England and to their King, tended materially to incapacitate them from pushing their conquests effectively over the great mass of the native Irish, though they could not be entirely driven back from the lands which they had won. The kings of the Plantagenet line, who succeeded Henry II., seldom visited Ireland. King John was the only one who set foot in it before the time of Richard II. The Anglo-Norman barons in Ireland,

The English pale.

Its limited extent.

Anarchy and weakness of the Anglo-Irish.

Ireland rarely visited by an English king.

de résistance, par la même raison qu'elles sont indépendants les unes des autres.

"On peut dire avec raison qu'un pays, où le pouvoir central est fort, est tout à la fois le plus difficile à envahir, et celui dont, après l'invasion, la conquête est la plus facile. Toutes les forces de la nation rassemblées sur un point unique, offrent une puissante condition de succès qui, venant à faire défaut, laisse sans défense tout le reste du territoire. C'est tout au rebours dans un pays où la force nationale n'est point centralisée ; on les envahit sans peine, et l'on parvient très-difficilement à les conquérir. Ceci s'est bien vu dans les premiers siècles de notre histoire. Les conquêtes des hommes du Nord, qui se succédaient si terribles les unes aux autres, n'ont en leur fin que le jour où un pouvoir faible au centre, mais fort dans ses parties, s'est constitué sur le sol. Depuis l'établissement de la féodalité en Europe, il est encore arrivé des invasions, mais il n'y a plus eu de conquêtes."

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not having the effective check of kingly power to restrain them, indulged in feuds and private warfare one against another; and all the worst features of feudalism were developed among them, with few or none of the benefits which elsewhere were derived from the feudal system.* The English kings governed, or attempted to govern, Ireland by viceroys, or deputies. But, if the representative of royalty was chosen from among the less powerful nobles, he was invariably contemned; and he was destitute of any power wherewith to enforce his sovereign's authority. If, on the contrary, the governorship was given to the head of one of the great families, the King's name was generally made the mere pretext for carrying on schemes of private aggrandisement and of personal enmity towards rival nobles. Many of the Anglo-Irish barons and other adventurers, who settled in the conquered territories, not only made wars on the native tribes on their own account, but also contracted alliances and marriage ties with them; and in numerous instances they adopted

The viceroy system.

The Hibernised Anglo-Normans.

* Mr. Goldwin Smith well observes of the Feudal System, as generally established in Europe, that "In the feudal system there were two forces at work, that of the monarchy and that of the aristocracy. The combined action of the two was attended by perpetual jarring and discord between them; but both were necessary to the production of that ordered liberty which we enjoy under the Constitution. The monarchy preserved the principle of government and the common interest of the state; the aristocracy preserved the principle of liberty and the interests of personal independence. Without the monarchy there would have been a Polish anarchy, without the aristocracy there would have been an Oriental despotism. In either case political progress would have been arrested. The Anglo-Irish were practically without a king, and the chronic anarchy of an uncontrolled aristocracy was the inevitable result.

"The same circumstance was, if possible, still more injurious to the native race. The Irish were, and long remained, in that stage of political development when an object of personal royalty, such as a clansman finds in his chief, was essential in order to engage their present allegiance and train them for a higher form of political life. The talisman of the royal presence has never been tried in their hearts without effect; but that talisman has been too seldom tried."

the wild usages and restless savagery of the most ferocious of the native clans, and of the most lawless of the native chieftains, until it became a proverb respecting them, that the English in Ireland were more Irish than the Irish themselves. The presence of such men on their Irish estates was probably a greater curse to the country than was the absence of other proprietors, who, holding lands in England as well as in Ireland, naturally preferred to reside in the more civilised and wealthy country. Yet this last, this long-standing curse, the evil of absenteeism, was the subject of complaint as early as the reign of Edward I., and was denounced even then as a main cause of Irish disorder and misery. No blame is imputable to our kings personally for unwillingness to give Ireland the blessings of good government and equal law. The Great Charter was transmitted to Ireland and proclaimed there. And a statute of Edward I. provided, as far as legislation could provide, for the establishment of English law in Ireland, and for protecting the natives from oppression. But our kings in those ages were too deeply and anxiously occupied with English, Welsh, and Scottish affairs, to be able to apply their personal supervision to the carrying out of their ordinances for Ireland, and to the permanent and steady control of all minor powers by regular regal authority, which might, perhaps, have given that unhappy country tranquillity and order, and which might have saved her from becoming that "commonwealth of common woe,"* which one of Elizabeth's statesmen in after-times too truly termed her.

"Deliberately and undeceived those wild men's vices they received, and gave them back their own."

Ipsis Hibernis Hiberniores.

Irish absenteeism.

Its antiquity.

Efforts of the English kings in favour of Ireland.

The native Irish continued to wage their local wars, their faction-fights, their family death-feuds, one against

* "Ireland, that commonwealth of common woe."—*Sir Walter Raleigh.*

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another, as they had done before the landing of the English. But they had all a common feeling of deep-seated hatred towards their invaders, however zealously they might side with them for a time for the sake of obtaining a party-triumph over their private enemies among their own countrymen.

Increasing turbulence and misery of the native Irish.

Common hatred against the English.

The northern parts of Ireland were those on which the English arms had made the least impression, and which were most open to communications, peaceful or military, from Scotland. Edward Bruce ascertained that many of the Irish inhabitants of this district would follow him with alacrity against the common enemy of both Scotchmen and Irishmen; and on the 25th of May, 1315, he landed at Carrickfergus with six thousand of the best Scottish soldiers. He gained many advantages over the English troops that encountered him; and the Irish, who followed him to fight and to plunder, professed enthusiastic devotion to him personally. In 1316 he caused himself to be crowned King of Ireland. He had procured a transfer to himself of the rights which the Irish chief O'Neil had asserted to the sovereignty of the whole country; but there was another Irish claimant to the Irish crown, far more powerful than O'Neil, who was making war on the English independently of Bruce, though unquestionably glad to avail himself of the weakness and of the distraction of the English force, which must have been caused by Edward Bruce's operations. This was Phelim O'Connor, the head of the great house of that name; a house that had hitherto striven against the English more successfully, and which had maintained an effective ascendancy over larger numbers of the Irish population, than any other of the numerous Irish families that styled themselves noble and royal. The O'Connors and their allied or tributary clans took

Edward Bruce lands in the north of Ireland.

He is crowned King Edward of Ireland.

Phelim O'Connor the real Irish aspirant to the Irish crown.

the field against the English in August, 1316, with one of the largest native armies that Ireland has ever mustered. But the extremity of the peril which the English settlers now saw impending over them taught them unity and subordination; and the noble family of the De Berminghams gave them skilful commanders in the warfare against both Irish and Scots. Phelim O'Connor with his great national host attacked the English troops under Lord Richard de Bermingham at Athunree on the 10th of August, 1316. The result was a defeat of the Irish with such heavy slaughter, that not only was the power of the O'Connors broken, but the native Irish never for centuries rallied again under any chief of their own in such numbers, and under such circumstances, as to make probable the establishment of an independent Irish kingdom in Ireland.

Great uprising of the O'Connors against the English.

Utter defeat of the Irish national army at Athunree.

The Irish career of Edward Bruce lasted a little more than three years. At one time his brother, the great Bruce, came over to his aid, and they advanced as far as Dublin, which they were unable to capture. King Robert Bruce of Scotland, after this unsuccessful expedition against the capital of the western island, returned to his own dominions; and King Edward Bruce of Ireland was defeated and killed in battle against the English near Dundalk on the 14th of October, 1318. Lord John de Bermingham commanded the English in this action; and the result of the battle, and the consequent termination of the war, were in a great degree attributable to the desperate valour of Sir John Maupes, an English knight, who galloped in upon Edward Bruce at the first charge, and whose dead body was found stretched across the dead body of his royal enemy at the conclusion of the short but sharp encounter, in which two thousand of Scotland's

Edward Bruce continues the war in Ireland.

His brother King Robert comes to aid him.

The Bruces fail before Dublin.

The great Bruce returns to Scotland.

King Edward Bruce is killed in battle, and the power of the Scottish expedition is destroyed.

CHAP. I.

1319-1328.

best soldiers, and several of her ablest captains perished.

Successes of the Scotch in England.

In Britain the warfare continued longer, the Scots being generally the assailants, and almost invariably victorious. They ravaged England as far as the Humber on the eastern side, and on the west they even attacked Wales, not only pushing their marauding light cavalry across Cumberland, Lancashire, and Cheshire, but making descents on the unprotected coasts from squadrons of ships, which Bruce collected and manned partly with sea-rovers from Flanders, and partly with his own men, and to which the wretched Government of England opposed no maritime force whatever. After many negociations a truce for two years between the two countries was made in 1319. In 1323 another truce was agreed on, which was to continue thirteen years. Before that term had elapsed, there was a brief renewal of the war, followed, however, by a formal and complete pacification in 1328. Edward II. was by this time in his grave; but Robert Bruce lived on to witness the complete establishment of Scotland as an independent kingdom. The English Parliament, and those who ruled in 1328 in the name of Edward II.'s young son, solemnly renounced all rights and claims of the Kings of England to dominion and superiority over Scotland; and Scotland was declared to appertain for ever to the magnificent Prince and Lord Robert, by the grace of God the illustrious King of Scots, and to his heirs and successors, free, entire, and unmolested, without any subjection, servitude, claim, or demand whatever. This important event is so closely connected with Bannockburn, as the natural result of Bruce's victory, that it has seemed fit to record it here, though falling within the term of our third, and not of our second Edward's reign. King

Bruce vexes England by sea as well as by land.

Negociations.

Truces.

At last England gives way. Scotland is acknowledged to be an independent kingdom, and the Lord Robert Bruce is recognised as her lawful king.

Robert Bruce did not long survive this consummation of his great enterprise. He died on the 7th of June, 1329, at the age of fifty-five, leaving a name which, however tarnished by the selfishness and faithlessness of his youth, commands the just admiration of posterity for indomitable energy, for undaunted heroism, and also for the statesmanlike sagacity displayed by him in his riper years. His crown was sullied in the winning; but it was so worn as to shine brightly throughout all time.

Death of Bruce.

His renown.

Besides the miseries of disastrous warfare, the English nation suffered grievously during Edward II.'s reign from the other two great scourges of humanity, by which war is so often accompanied. In this reign famine and pestilence spread their terrors even more widely than the sword had gone through the land. For three successive years after the year of Bannockburn the harvests failed not only in the counties which were ravaged by the Scots, but also in the central and southern districts. Epidemic diseases swept off the cattle and the flocks; and the scarcity and unwholesomeness of food soon produced fever and dysentery among the people. Amid the general misery the restraints of law, human and divine, were set at nought. Bands of robbers infested every district; and the better disposed inhabitants, unprotected by the constituted authorities of the country, were forced to defend themselves against murderers and marauders by forming armed associations, and taking the law into their own hands. These societies often quarrelled with each other; and self-renewing feuds and faction-fights augmented the desolation and misery of English villages and homes.

Sufferings of the English from 1313 to 1317 from pestilence and famine.

Brigandage general in the land.

Armed associations of defenders.

Local wars.

The chief of all historians has truly said that "War

CHAP. I.

1317-1320.

'Ο πόλεμος βίαιος διδάσκαλος καὶ πρὸς τὰ παρόντα τὰς ὀργὰς τῶν πολλῶν ὁμοιοῖ.

is a stern taskmaster, and makes men's hearts hard as their circumstances." The other great physical scourges of nations produce the same effect. The dreadful sufferings of the English people in Edward II.'s reign may partly account for the extreme ferocity, which marks the conflict of parties during that time, and for the malignant spirit of insult and cruelty, in which this unhappy Prince's deposition from the throne was effected. It has been mentioned how the King's first favourite, Piers Gaveston, was put to death by the barons; and how the Earl of Lancaster, the chief of the baronial party, was afterwards executed by the royalists, when Edward obtained a brief ascendancy in civil strife. Another active and important leader of the disaffected barons, Lord Mortimer, had been imprisoned in the tower of London; but he made his escape to France in 1324, and he was soon joined there by a still more formidable and deadly enemy to Edward, his own Queen Isabella.

Savage character of English internal history during this reign.

Escape of the anti-royalist leader, Mortimer, into France.

The queen against the king.

Isabella, sole daughter of King Philippe le Bel of France, and sister of Louis X., Philippe V., and Charles le Bel (who reigned successively after Philippe le Bel), is described as one of the most beautiful women of her time, and as a princess of pride and spirit at least equal to her beauty. Edward II. had alienated her affections by neglect, and by his offensive preference for the society of his male favourites. He even made her dependent on the insolent caprice of the younger Spenser for the supplies of money requisite for her maintenance.* Her hatred and contempt of her husband's minion were extended to her husband himself; and her guilty attachment to Lord Mortimer

Edward's neglect of Isabella.

Her other wrongs.

Her guilty attachment for Mortimer.

* Other and more horrible causes for Isabella's hatred for her husband are stated by the old writers, and are adverted to by Mackintosh in this part of his history.

had probably been formed before that nobleman's flight to France. The Queen became the confederate of the King's bitterest enemies; and the Bishop of Hereford (whose property had been seized by the Spensers on a charge of treason) is mentioned as one of the most subtle and unscrupulous of her advisers. A dissension, which had occurred between King Edward and King Charles of France respecting Guienne, was artfully made a pretence for Isabella being permitted to go to France for the ostensible purpose of reconciling her brother to her husband, but with the real design of planning measures in concert with Mortimer and other English refugees for effecting a revolution in England.

The queen heads the malcontents.

She obtains by craft a mission to France.

As soon as the Queen reached Paris, she began to execute this scheme; and she easily won over her brother, the French King, to give her his co-operation. Charles had seized on the greater part of the English possessions in France, and Edward was naturally urgent that they should be restored to him. At Isabella's instigation the French Court suggested that the King of England should transfer his rights over Guienne to his son and heir apparent, Prince Edward, then twelve years old; and that the young Prince should be sent over to France to receive investiture, and to do homage to Charles as sovereign paramount of the territory in question. It was promised that, if this were done, the French troops should be withdrawn from Guienne, and the young English Prince placed in quiet possession. King Edward complied, and the Prince was sent over to France; but instead of his being sent back after performance of the feudal ceremonies respecting Guienne, he was detained by Isabella and Mortimer, who thus were enabled to use the Prince's name in their operations against his

Young Prince Edward is sent over to her.

Isabella and Mortimer keep the prince with them, and use his name against his father.

CHAP. I.

1326.

father. Proceeding from France to Hainault, they levied there an armed force of about two thousand Flemings and Germans, besides the numerous English malcontents who had gathered round them abroad. Sailing with these from the Flemish coast in September, 1326, Isabella and Mortimer, with the young Prince, landed at Orwell in Suffolk. Three Princes of the blood royal, the Earls of Kent, Norfolk, and Leicester, and many other noblemen, immediately joined the Queen. The Bishops of Ely, Lincoln, and Hereford, went to her camp with all the forces which they could collect; and other prelates sent her assistance in men and money. She proclaimed that she had come to free the King and the kingdom from the tyranny of the Spensers; and so deep and general was the hatred felt towards Edward's government, that not a sword was drawn in opposition to her. She advanced through England with a continually increasing army, while her wretched husband and his favourites fled to fortresses for safety. The elder Spenser took refuge in Bristol, but the ill-will of the inhabitants towards him compelled him to surrender to the Queen's troops on the third day after they had appeared before the walls. He was put to death with circumstances of great barbarity after a mockery of trial; and Queen Isabella's forces were then directed towards the coast of South Wales, where Edward and the younger Spenser were reported to be lurking.

They levy troops in Flanders, and land in Suffolk.

Men of all ranks join them.

Flight of Edward and the Spensers.

The elder Spenser captured in Bristol and executed.

After vainly attempting to rally round him the citizens of London, the King had fled westward from the capital on intelligence of Isabella's successful progress. In company with Hugh Spenser, Edward embarked at Bristol, his intention being, according to some writers, to sail to Ireland; but others relate that his object was to reach Lundy Island

Edward and the younger Spenser put to sea.

in the Bristol Channel, which had been previously fortified and stored with provisions by Spenser's orders, probably in anticipation of some such catastrophe as actually occurred. The Queen and Mortimer took advantage of the King's departure, and proclaimed that he had deserted the realm. They then formed a convention of prelates and nobles at Bristol, in which it was resolved that the kingdom had been left without a ruler by the King's flight beyond sea, and that young Prince Edward should be made guardian and governor of the realm (October 26). But the King in the meanwhile had been driven back by a storm upon the south Welsh coast, where he tried in vain to conceal himself. He and Spenser were taken on the 17th of November near Neath Abbey by the Queen's soldiers. Spenser was hurried to Hereford, and executed as a traitor; the King was taken to Kenilworth Castle, where he remained in captivity during the winter.

The king is proclaimed a deserter of the realm.

Young Prince Edward declared to be *custos regni*.

The king and Hugh Spenser taken.

Execution of Spenser.

Edward imprisoned at Kenilworth.

The next measure of Isabella and Mortimer was to issue writs in the imprisoned King's name, by which a Parliament was summoned at Westminster. On the 7th of January, 1327, the Bishop of Hereford, after a bitter invective against Edward II., put the question to the assembled Lords and Commons, "Whether King Edward the father, or his son Edward, should reign over them?" Not a voice was raised for the fallen sovereign; and the young Prince was acclaimed as King. But the real rulers, Isabella and Mortimer, felt the necessity of getting rid of the old King in some more formal manner. A deputation of Lords and Commons was sent to Kenilworth to obtain, if possible, from the royal captive a voluntary abdication. After some difficulty, he was induced by threats and promises to give his assent in the presence of the

Parliament convened.

Vote proposed whether Edward the father or Edward the son should be king.

The prince is voted king.

Deputation to induce Edward II. to abdicate.

He consents, and is solemnly renounced.

CHAP. I. 1327.

assembled deputies to all that was required of him. Then one of the knights of the shire, Sir William Trussel, who had presided as Judge at the condemnation of the Spensers, addressed him thus :—"I, William Trussel, proctor of the prelates, earls, and barons, and others the people by whom I am authorised, having for this full and sufficient power, do, in respect of you, Edward, late King of England, abandon the homage and fealty of the persons in my procuration named; and acquit and discharge them thereof as fully as by law and custom can be done. And I now make protestation in their name that they will no longer be in your fealty or allegiance, and they will no longer claim to hold anything of you as king, but will account you as a private person, without any manner of royal dignity." After this renunciation, the steward of the household, Sir Thomas Blount, broke in Edward's presence his wand of office, as was customary at a king's death; and declared that his own service, and that of all other officers appointed by the late King, had ceased.

King Edward II. as king is no more.

Edward III. proclaimed king.

On the return of the deputation to London, Edward III., then in his fourteenth year, was proclaimed King. The proclamation recited that Sir Edward, late King of England, of his own goodwill had, with the common advice and assent of the prelates, earls, barons, and other nobles, and of all the commonalty of the realm, put himself out of the government of the realm, and had granted and willed that the government of the realm should devolve on Sir Edward his eldest son and heir, who was to govern the kingdom and be crowned King. This proclamation was issued on Jan. 24th, 1327, but the next day, the 25th, is treated in state papers as the day of the accession of Edward III.

Care taken to proclaim that the father had abdicated voluntarily.

So ended the reign of Edward II., and his after fate

1327.

was inexpressibly tragical. Isabella and Mortimer wished that he should die, but also that his death should be so wrought as to cause no public scandal. He was purposely placed in the charge of harsh and brutal men, who inflicted on him every privation and indignity that seemed most likely to shorten his life, or to crush his intellect. But still the wretched man lived on; vainly asking for an interview with his wife, and imploring to be allowed to see the faces of his children. His enemies' eagerness for his death at last overpowered their caution. Two ruffians, named Gournay and Ogle, had charge of the King in Berkeley Castle. They murdered him on the night of the 21st of Sept., 1327. In order that no external mark of violence might appear on his person, they introduced a tube into his body, through which a red hot iron was thrust up into his bowels. The dreadful shrieks of the poor victim awoke some of the inmates of the Castle, who could judge too well who it was that was perishing; and they prayed for Edward's departing soul, though they dared not attempt to save him. In the morning the body was exhibited. There was no outward wound; but the horrible contortions of the features were enough to disprove the lie told by his tormentors and their employers, that Edward of Carnarvon had died by a natural death.

Miserable fate of Edward after his deposition.

He is doomed to be slowly and quietly done to death.

Life lingers in him.

Impatience of the queen and Mortimer for his death.

The dreadful murder in Berkeley Castle.

The shrieks of the "agonising king."

In reading the formal records of Edward II.'s deposition, it is impossible not to notice the solicitude shown in them to make it appear that the commonalty of the realm took part in all those proceedings.

Recognitions in the state documents of this reign of the constitutional importance of the Commons.

Attention has been directed, while we were considering the state of the English constitution in the reign of Edward I.,* to the very important declaratory

* See vol. i. p. 444.

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Act passed in the 15th year of his son, which ordains that "the matters to be established for the estates of the King and of his heirs, and for the estate of the realm and of the people, should be treated, accorded, and established in Parliament, by the King and by the assent of the prelates, earls, barons, and the commonalty of the realm, *according as had been before accustomed.*"

Statute for annual parliaments.

The enactment of the statute 4 Ed. 2, for the frequent holding of parliaments, has been mentioned, when we were speaking of the proceedings of the Lords ordainers, and of the subsequent armed rising of the barons, which were provoked by the King's misgovernment, and especially by his wilful pampering of the favourite Gaveston. Mr. Hallam has pointed out that we have proof that the Commons took part in the election of the Lords ordainers in the 4th year of Edward II.'s reign.* He also has cited the express stipulation of the Commons in the second year of this reign, that certain specified grievances should be redressed as a condition of their making a money-grant to the king.

The Commons take part in the appointment of the Lords ordainers (4 Ed. 2).

Redress of grievances claimed as condition of grant of money.

The treatise "Modus tenendi Parliamentum" probably composed and published in the reign of Edward II.

There is an ancient treatise in existence respecting the composition, the powers, and the formalities of an English Parliament, of which we have good reason to believe that it was composed and published in Edward II.'s reign. This is the celebrated treatise entitled "Modus tenendi Parliamentum," or (as it was also named in the copy used by Lord Coke) "The Manner of holding Parliaments as practised by William the Conqueror according to the Precedent of Edward the Confessor." Lord Coke and many others of his age and of the next believed that this treatise had

* See the passage from the Rot. Parl. 128, cited in Hallam's Middle Ages, vol. iii. p. 42.

been composed within a century of the conquest, and that it gave a trustworthy account of the matters which it dealt with. Prynne proved the falsity of the claims set forth in its title; and maintained that the book was a forgery of as recent a date as the reign of Henry VI. It unquestionably is a forgery; but it is equally beyond question that it was in existence a full century before the date assigned to it by Prynne. Copies have been found of it bearing date of Henry IV., of Richard II., and of Edward III.'s reigns, and even earlier. It is indeed certain that the treatise must have been composed during the last years of Edward I.'s reign, or at some time in the reign of Edward II.* Though utterly worthless as historical evidence regarding the Constitution in the time either of Ethelred† or of the Conqueror, it is very valuable evidence of what men in the time of Edward II. thought the best pattern of parliamentary government, and of the importance they attributed to the representation and the parliamentary power of the Commons. If these topics had been at that period matters of indifference, it is probable that such a treatise would not have been written ; it is certain that such a treatise would not have acquired the attention and authority which the "Modus tenendi Parliamentum" evidently received. The amount and the endurance of the book's influence are proved by the numerous early copies of it that have been traced; and by the fact that in the sixth year of Henry IV.'s

Value of the treatise as evidence of public opinion and of constitutional theories in Edward II.'s time.

* See Sir Duffus Hardy's preface to his edition of the treatise.

† The book, in the copy published by Sir Duffus Hardy, professes to be a description, "quomodo Parliamentum Regis Angliæ et Anglicorum suorum tenebatur tempore Regis Edwardi filii Regis Etheldredi ; qui quidem modus recitatus fuit per discretiores regni coram Willielmo Duce Normanniæ et Conquestore et Rege Angliæ, ipso Conquestore hoc præcipiente, et per ipsum approbatus, et suis temporibus ac etiam temporibus successorum suorum regum Angliæ usitatus."

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reign an exemplified copy of the treatise under the Great Seal of Ireland was sent over to that country. The modern editor of the "Modus" justly observes that this "solemn authorisation of the book by royal authority could hardly have happened unless it had then become a well accredited treatise." We may add that such authorisation is evidence also that the credit of the book must then have been of considerable antiquity.

Directions of the treatise for the summoning of parliament.

We have therefore fair proof that a treatise was circulated and became influential at least as early as Edward II.'s time, which among other things set forth the mode in which Parliaments should be summoned, and required that besides separate summonses being sent to archbishops, bishops, abbots, and priors, the proctors of the lower clergy should also be regularly summoned to Parliament.*

Of summoning the proctors of the lower clergy.

* In describing the constitution of Parliament under Edward I., I ought to have pointed out the fact that representatives (proctors) of the inferior clergy were summoned to many of the early Parliaments. Mr. Hallam considered that, "It is highly probable that Edward I., whose legislative mind was engaged in modelling the Constitution on a comprehensive scheme, designed to render the clergy an effective branch of Parliament, however their continual resistance may have defeated the accomplishment of this intention. We find an entry upon the roll of his Parliament at Carlisle, containing a list of all the proctors deputed to it by the several dioceses of the kingdom. This may be reckoned a clear proof of their parliamentary attendance during his reign under the *præmunientes* clause" [the clause in the writ from the Crown to the bishop enjoining the attendance of the clergy at the national council of Parliament], "since the province of Canterbury could not have been present in convocation at a city beyond its limits" (vol. iii. p. 132). As Mr. Hallam proceeds to state, together with this clear proof of the parliamentary rights of the clergy, we have to deal with "the unquestionable fact that almost all laws, even while they continued to attend, were passed without their concurrence, and that after some time they ceased altogether to comply with the writ."

Mr. Hallam thinks that this was mainly caused by the jealousy between the clergy and the common lawyers, and the desire of the clergy to separate themselves from the mass of the people by immunities and privileges. The clergy obeyed the summons to Parliament with reluctance; and only

The treatise declares that the business of Parliament is to be attended to in the following order :—

Of the relative importance and order of dealing with the matters that come before parliament.

First, war, if there be war. The war and other matters affecting the safety of the king's person, and the personal safety of his family, are first to be considered.

Next to be considered are the common affairs of the realm, such as the enactment of statutes to remedy defects in the existing laws as to either judicial or executive matters.

Then are ranked such causes and judgments as most affect public interests.

Lastly, are to be considered the private affairs of individuals, according to the order in which they have filed their petitions.

The king bound to attend parliament personally.

It is laid down that the king is bound by all means to be personally present in Parliament unless hindered by bodily infirmity: and even in that case the king must not lie out of the manor or town where Parliament is holden, but must be ready to receive a committee of two bishops, two earls, two barons, two knights of shires, two citizens, and two burgesses, whom the Parliament is to depute to wait on him and to confer with him.

The treatise asserts the superior importance and antiquity of the Commons as an estate of parliament.

Minute directions are given as to matters of form and ceremony, and towards the conclusion* there are some remarkable clauses, which not merely negative the idea of the Commons being regarded as inferior to the Lords Spiritual and Temporal in parliamentary importance, but recognise them as more

assembled in their Houses of Convocation, in which they long voted the clergy's share of supplies to the Crown.

I think it may be inferred that the "Modus tenendi Parliamentum" was written not very many years (if at all) after the period (probably a brief one) for which the appearance of the representatives of the inferior clergy in the Parliament was a reality.

* P. 43 of Sir Duffus Hardy's edition.

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important than the Lords. The treatise gives as a reason for this the alleged fact that the king and his Commons used to hold Parliaments in times, when no such personages as bishops, earls, or barons were yet in existence. The king and his Commons may (according to the treatise) lawfully hold a Parliament without bishops, earls, or barons, so that these dignitaries have been regularly summoned. But if the Commons, though duly summoned, were to refuse attendance, because the king had been ruling them badly, and were to show particulars of misgovernment, then a Parliament would be a nullity, though all the archbishops, bishops, earls, barons, and their peers, together with the king, were present, and took part in it.

Absolute necessity of the presence and co-operation of the Commons in parliament.

The writer urges particularly the need that everything done in Parliament, whether by way of affirming or setting aside, of grant or of refusal, should be done with the consent of the Commons : because, he says, the representatives of the Commons in Parliament represent the whole community, whereas among the Peers Spiritual and Temporal each one stands for himself and for himself only.*

* "Rex potest tenere Parliamentum cum Communitate regni absque Episcopis, Comitibus, et Baronibus (dum tamen summoniti sint ad Parliamentum), licet nullus Episcopus, Comes, vel Baro ad summonitiones suas veniat : quia olim nec fuerunt Episcopus, nec Comes, nec Baro, adhuc tunc reges tenebant Parliamenta sua.

"Sed aliter est e contra:—licet communitates—clerici et laici—summonitæ essent ad Parliamentum sicut de jure debent et propter aliquas causas venire nollent, ut si pretenderent quod dominus rex non regeret eos sicuti deberet, et assignarent specialiter in quibus eos non rexerit, tunc. Parliamentum nullum esset omnino, licet Archiepiscopi, Episcopi, Comites, et Barones et omnes eorum pares cum rege interessent: et ideo oportet quòd omnia quæ affirmari vel infirmari concedi vel negari vel fieri debent per Parliamentum, per communitatem Parliamenti concedi debent quæ est et tribus gradibus sive generibus Parliamenti, scilicet est procuratoribus cleri, militibus comitatuum civibus et burgensibus qui representant totam communitatem Angliæ, et non de magnatibus, quia quilibet eorum est pro suâ propriâ personâ ad Parliamentum et pro nullâ aliâ."

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Destruction of the Order of Knights Templars.

During this reign the English Government was called on by the King of France and the Pope of Rome to take part in the destruction of the Knights Templars. After the total abandonment of Palestine by the nations of Western Christendom, this once renowned and powerful Order had retained the ample wealth with which it had been endowed in many European countries; but its members had ceased to co-operate or even to assemble for any of the purposes for which their sacerdotal and military brotherhood had originally been founded. That under such circumstances many of the Knights Templars of the fourteenth century led dissolute lives, that not only discipline but decorum was neglected in many of their Preceptories, seems to be established by historical proofs, and is consonant with the usual course of human nature. But the monstrous abominations and insane impieties, which they were now charged with practising systematically and as the main institutes of their Order, are in themselves almost incredible; and the evidence which their accusers brought forward to establish these charges, was of the frailest and vilest character. It consisted chiefly of admissions wrung out by torture. Its least untrustworthy portion was made up of malignant reports of idle hearsay. The real crime of the Templars in royal eyes was their wealth. For the sake of grasping this, King Philippe Le Bel practised upon the Knights Templars in France, under the forms of judicial process, a series of the most revolting iniquities and torments that are recorded in even the history of the Middle Ages,—ages in which avarice and cruelty so often abused the names of Religion and Justice. Pope Clement V., at the French King's instigation, required Edward II. of England to institute

Gross improbability of the chief charges against them.

Their wealth their crime.

The King of France their chief persecutor.

Atrocious iniquity of the process against the Knights Templars in France.

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similar proceedings against the Knights Templars in England. An inquisitorial Commission was appointed here, the proceedings of which were duly recorded, and are still extant. They are disgracefully irrational and unjust, but they are not stained by such atrocities as took place in France. The application of torture to the English Templars was ordered by the King and the Pope, but it does not appear to have been put in execution. The dissolution of the Order was decreed by a bull of the Pope in 1312.

Edward II. required by the Pope to proceed against the English Templars.

Commission appointed.

The order dissolved.

The Papacy at this period, and for many years afterwards, was completely subservient to the crown of France. Clement V. owed his election as Pope to the influence of King Philippe; and it was believed that a solemn compact had been made, by which the new Pope was bound to carry out the measures directed by his patron. Clement took up his residence, not at Rome or any other place in Italy, but at Avignon, the fair and pleasant city on the left bank of the Rhone, a little above the influx of the Durance. Nominally, Avignon formed no part of the territory ruled by King Philippe. It belonged to the old kingdom of Arles, which, in theory, was still a portion of the Holy Roman Empire. Locally, Avignon lay within the county of Provence, and Charles King of Naples, as Count of Provence, had rights of sovereignty over the city. The Count of Provence was the King of France's near kinsman; and the kingdom of France itself extended to the right bank of the Rhone. Practically, a pope living at Avignon was a pope within the power of the King of France.*

Pope Clement V. subservient to the French king.

Pope Clement V. the bondsman of the French king.

Residence of the Popes at Avignon.

A pope at Avignon a pope within the grasp of France.

* In 1348 Pope Clement VI. bought from Queen Joan of Naples her rights over Avignon. It was not formally made part of France till 1791. The popes had acquired the district of Venaissin, which is adjacent to Avignon, but does not properly include the city, in 1274.

Clement V. and his five successors in the papacy (all Frenchmen) continued to reside at Avignon. This period of seventy years (from 1305 to 1376) is called by Italian writers the Babylonish Captivity.

Popes at Avignon for seventy years.

Though in fact timidly obedient to French influences, the Avignonese pontiffs continued to claim in their bulls and decrees supremacy for their papal over all temporal power, and to arrogate infallibility as an attribute of the Pope himself. It was, indeed, hardly possible for language to go beyond that which their predecessors had used, but they fully maintained the high note that had been set for them of sacerdotal superiority.

Papal claims to supremacy over temporal power; and the pope asserted to be infallible.

Before the migration of the Popes to Avignon, the King of France, Philippe Le Bel, had been the bitterest opponent of the papal claims; and in the feud between him and Boniface VIII. actual violence had been offered by emissaries of the French King to the Roman Pontiff, which accelerated, if it did not occasion, Boniface's death. But when the popes were at Avignon, and the French sovereign could make use of them against the Emperor, or the King of England, or other enemies and rivals, the statesmen of France took no notice of words in papal documents, which with regard to France were mere generalities. Such words also now passed unheeded by the University of Paris, and by the powerful body of French lawyers. It was against German or Italian enemies that a pope specially employed his spiritual armoury from Avignon; and these enemies of the Pope were in most instances the objects also of the political hostility of the French sovereign.

German princes and nobles, German prelates, and German scholars indignantly denied the claims over the

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Empire put forth by Popes who were themselves subservient to France; and the Italian Ghibellines were vehement and eloquent in the renewed controversy between the alleged successors of Cæsar and the alleged successors of St. Peter. But England sent the champion who combined the most profound learning and the highest metaphysical intellect of that age in the strife against Papal aggrandizement. This was William of Ockham, the last (and by some thought the greatest) of the "Distinguished Pentarchy"* of the chiefs of the Schoolmen.

* So Dean Milman terms Albertus Magnus, Thomas Aquinas, Bonaventura, Duns Scotus, and William of Ockham.

The British isles produced two of these, Duns Scotus and William of Ockham. We claim also (besides the earlier intellectual Titan, Scotus Erigena), John of Salisbury, Alexander Hales, Bradwardine, and Wyclif. Wyclif's greatness as a Schoolman has been obscured by his more important eminence as a Reformer.

I ought in the text to have devoted some space to Duns Scotus; but I own that I have failed to comprehend so fully and clearly as would warrant me in attempting to explain to others the points in dispute between our "subtle Doctor" (as Duns Scotus was termed by his contemporaries), and "the angelic Doctor," Thomas Aquinas. This of course merely shows my want of leisure or capacity; and I do not mean to assert that the distinctions are unintelligible or worthless. Without being able to sum up the controversy between Scotists and Thomists, I can appreciate the importance of the opposition which Duns Scotus made to the authority of Aquinas. Deceived by the forged and garbled decretals in the interest of the Popes which the Bolognese jurist, Gratian, published in the middle of the 12th century, and by the additional catena of forgeries, purporting to be extracts from the writings of Greek fathers, and decrees of Greek councils, which was put forth by an anonymous Latin theologian in the middle of the 13th century, Thomas Aquinas asserted the Pope's infallibility in the most uncompromising terms (see the remarkable little volume, entitled "Janus," that has lately appeared, pp. 265, 274, English translation). Had it not been for Duns Scotus, St. Thomas Aquinas and the Pope would probably have been equally deemed infallible in the Schools.

The differences between Duns Scotus and Ockham are much more easily understood than those between Scotus and Aquinas. Duns Scotus carried Transcendental Realism to its utmost height. In Ockham we find the extreme of Nominalism. M. Haureau says (vol. ii. p. 307), "C'est Duns Scot, qui a réduit en un corps de doctrine toutes les sentences réalistes, qui se sont produites durant le treizième siècle . . . . . Quiconque entreprendra désormais la défense des abstractions réalisées, sera compté parmi les disciples de ce maître illustre." The great thesis of Transcen-

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The date of the birth of William of Ockham is uncertain. The village in Surrey whence he is named was his birth-place. His parents were peasants. He studied and taught at Oxford and at Paris, and early in life he became a member of the Franciscan Brotherhood. During the violent controversies which were raised by the arrogance and avarice of Boniface VIII.

dental Realism was the independent actual existence of Universals. Ockham's brief contemptuous judgment on that thesis was delivered by him in these words : "Ista opinio est simpliciter falsa et absurda."

Realism had been predominant in the Schools for two centuries before Ockham's time. This predominance had been acquired for it not only by what appear to me to be the superior heart-arguments as well as head-arguments in its favour over Nominalism, but also by means of the superiority in intellect and learning of its champions over their adversaries in the interval between Abelard and Ockham. The long preference with which Realism was received in the Schools was also due to the favour with which it was regarded by most churchmen, as being more consonant than Nominalism with the doctrine of Transubstantiation. Much clear light may be gained on this subject (which is very abstruse, but a knowledge of which is indispensable for understanding some of the most important parts of mediæval history, and of the history of the Reformation) by reading the observations of M. Haureau on Berengarius (vol. i., Philosophie Scholastique, p. 163 *et seq.*), and the marvellously fair and lucid epitome of the various tenets as to the consecrated elements, which is given in Dean Hook's Lives of the Archbishops, New Series, vol. ii. p. 150.

Ockham revolutionised the Schools, and made Nominalism the dominant doctrine for the rest of the period during which Scholasticism can be said to have had an effective existence. Still there continued to be many Realists among the Schoolmen : and some of them were recognised to be among the greatest Doctors of their age. Our own Wyclif is an illustrious example. It is observed of Wyclif, that, though a vehement Realist, he always wrote with the greatest reverence of Ockham (see Mr. Shirley's Preface to the Fasciculi Zizaniorum). It is also to be observed that Wyclif supplies a proof that the general connection between Realistic opinions and the doctrine of Transubstantiation is not without exception.

With respect to the enduring essential importance of the achievements of Ockham in speculative philosophy, I will quote the judgment of one of the highest living authorities on the subject, M. Haureau, and that of the great English historian, from whose works I have in this and other chapters obtained so much valuable aid, and whose loss we have had lately to deplore. M. Haureau (vol. ii. p. 505) asks, "Quel problème peut-on s'adresser sur l'origine et la nature des idées, dont on ne trouve pas la solution dans le commentaire de Guillaume d'Ockham sur les *Sentences* du Lombard ?" He says (p. 474), that in Ockham was the consummation of scholastic philosophy, a consummation followed in natural order by the

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(the last Pope but one before the secession to Avignon), Ockham published a Disputation on the power given to Ecclesiastical Rulers and to the Princes of the Earth.* It is in the form of a dialogue between a knight, whose positions Ockham maintains, and a clerk, whose objections Ockham refutes. The knight expresses the utmost indignation at the Papal decree, in which Pope Boniface VIII. pronounced that the Pope is and ought to be supreme over all princes and kings. According to Ockham, St. Peter, and the successors of St. Peter, are our Saviour's vicars only so far as it is their mission to imitate our Saviour's humility, and His doing good while upon earth. Their vicariate extends not to His glory or to His power over all things after His resurrection. The clerk complains of State-interference with ecclesiastical revenues. The knight warns him not to wake a sleeping dog; but on the clerk persisting, the knight tells him and his fellow clerks that they are likely soon to experience both bark and bite. Ockham (in the knight's character) maintains that priests who neglect their duty must, like defaulting soldiers, be deprived of their pay. He asserts the right of the

rise of modern philosophy. The intellectual efforts of the intervening period, the Renaissance Period, did not, in his opinion, advance speculative science an atom beyond the point where William of Ockham had left it. "C'est donc, en réalité, sur le sol si bien préparé par le prince des nominalistes, que François Bacon a fondé son éternel monument."

"Thus may William of Ockham seem with fine and prophetic discrimination to have assigned their proper, indispensable, yet limited power and office to the senses; to have vindicated to the understanding its higher, separate, independent functions; to have anticipated the famous axiom of Leibnitz, that there is nothing in the intellect but from the senses, except the intellect itself; to have anticipated Hobbes; foreshadowed Locke, not as Locke is vulgarly judged, according to his later French disciples, but in himself; to have taken his stand on the same ground with Kant."—Milman's *Latin Christianity*, vol. vi. p. 474.

* "Disputatio super Potestatem Prælatis Ecclesiæ atque Principibus Terrarum concessam." It is printed in Goldasti de Monarchiâ.

State to take Church property for the safety of the commonwealth, and finally declares that the State has supreme authority over ecclesiastical laws, customs, and privileges, to add to them, or to take them away, in accordance with equity and reason.*

In the disputes which afterwards raged between the Papacy and the Franciscan Puritans, who maintained that the successors of the Apostles ought, like the Apostles, to live in absolute poverty, Ockham was one of the most vehement opponents of Pope John XXII. and Pope Benedict XII.† In this controversy the question of the Pope's infallibility was brought into issue, and became by far the most prominent and important point in the discussion. Ockham denies this doctrine in the most explicit and contemptuous terms. He asserts that not only is it possible for a Pope to err in doctrine, but that Pope John XXII. had actually erred to the extent of becoming a heretic, and of being consequently excommunicate.‡ It is observable that Ockham concedes to the Pope what seems to be the important prerogative of promulgating new decrees on matters on which the Scriptures are silent, but not when the Lord, or His Apostles, and their successors, the holy fathers, have

* "Et ideo, Domine clerice, linguam coercete, et agnoscite Regem legibus consuetudinibus et privilegiis vestris et libertatibus datis Regiâ potestate præesse: posse addere, posse minuere quælibet, æquitate et ratione consultis, aut cum suis proceribus sicut visum fuerit temperare." The whole treatise is worth reading, especially the part where Ockham deals with the objection about Sacrilege.

† The Defensorium of Ockham appears to have been written when Benedict XII. was Pope. See a marginal note of Edward Brown at p. 455 of his edition of the Defensorium, which he placed in an appendix to his publication entitled Fasciculus Rerum expetendarum, &c., p. 436, *et seq.*

‡ "Hæreticus, bestialis hæreticus manifestus, et per consequens damnatus et excommunicatus." Ockham was Luther's prototype in style as well as substance.

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determined any matter authoritatively.* But it is also to be remembered that Ockham exercised as fearlessly, as Bishop Greathead and Adam Marsh had exercised a century and a half before him, the right of private judgment in determining what Papal decrees were and what were not Apostolical.†

Ockham nearly paid with his life for the boldness of his opposition to the Papacy. He and two other champions of the Ultra-Franciscans, Michael of Cesena, and Bonagratia, were at one time in a dungeon at Avignon ; but they made their escape, and succeeded in reaching Bavaria, where the Emperor Louis gave them shelter, which they repaid by publications of intrepid vigour, of massive learning, and of bulk which makes them appear unreadable in modern times, in support of the Imperial against the Papal authority. Ockham dwelt at Munich until his death in 1347.

* Defensorium, p. 456.

† See *supra*, vol. i. p. 374.

CHAPTER II.

Brilliancy of Edward III.'s reign—The half century very important also as to commerce, and the political and social state of the people—This period the special age of chivalry—General history of Edward III.'s reign to be dealt with first—Edward's marriage—His position under the Dowager Queen Isabella and Mortimer—Their unpopularity—Edward emancipates himself from them—Mortimer put to death, and Isabella imprisoned—Edward's personal advantages—His popularity—Scotch wars—The claim to the French crown—The French peers decide against it—The immediate outbreak of hostilities caused by the French king—Edward's alliances on the Continent—General state of Europe at this period—France, the Empire, Flanders, Spain, &c.—Edward's first campaign—His great naval victory off Sluys—His further campaigns in France—Battle of Cressy—Calais besieged and taken—Commercial interests served by this conquest—The Scots invade northern England; defeated, and King David of Scotland taken prisoner—The Black Plague—The Statute of Labourers—War renewed in the south of France—The Black Prince wins the great battle of Poitiers—Treaty of Bretigni.

Brilliancy with which the reign of Edward III. stands out between the disastrous reigns of Edward II. and Richard II.

THE transition from the horrors and the ignominies of the times of Edward II. to the brilliant reign of his son is like passing from the gloom and miasma of the deep jungle to the fair fresh scenery of some breezy upland region. Probably if the great majority of English readers of English history could be questioned, it would be found that the reign of Edward III. is their favourite part of the study. And, though a reflecting and impartial mind may consider many of the glories of that reign to be unsubstantial, and may regard its blemishes as of a deeper dye than they bear in the eyes of superficial observers, no one can deny this period to be one which naturally attracts and fixes

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our attention both by reason of the magnitude of the events which occurred during its progress, and on account of the interest awakened in us by the personal characters of many of the actors in its principal scenes.

The half century comprised in this reign deserves also and demands anxious attention to its constitutional and commercial history, but, most of all, to the history of events and laws affecting the condition of the labouring poor of England. It has been truly said in our own times,* that the difficulties of statesmanship as to the necessities, the duties, and the rights of the labouring poor form the one political question, compared with which all others are insignificant. We begin in Edward III.'s reign the long and afflicting series of class-legislation on this subject.

To neglect these matters while dealing with Edward III.'s reign would be culpable folly; but we should err in the opposite extreme, if in exclusive regard of them we were to pass contemptuously over the wars and exploits of the King and his knights, and were to slight the military glories of England in this age as unsubstantial pageants, which interested only a frivolous superficies of society. They, in truth, influenced deeply and abidingly all members of the community. The burgher and artizan of the English town, the yeoman and peasant of the English village, were as proud as our knights and nobles of Edward's victories, and as zealous for the continuance of the wars in which those victories had been achieved. A self-satisfied proud

* By Carlyle, in a passage which my memory does not now enable me to trace:

"I recall
The sense of what he said, although I mar
The force of his expression."

patriotism (not always just in its degree or amiable in its exercise) then became, and has continued to be, a characteristic of Englishmen, high and low, rich and poor: and the English nation then assumed a rank among nations, from which it has never since wholly departed.

His age the special age of chivalry.

Edward III.'s age was pre-eminently the age of chivalry. Unless this is remembered and understood, many of its most characteristic incidents are likely to be entirely misapprehended. If, for example, we read of a general allowing part of his army to be almost crushed in an unequal contest with the whole of the enemy's force, while he remained inactive at a little distance with the other division of his troops, we may be disposed to regard him as either a coward or a fool. If we also learn that the officer in command of the exposed part of the army was the general's own son, we are likely to think that such a chief was as heartless as he was incompetent. Yet such a scene occurred in Edward's most glorious campaign; and it is certain that King Edward III. was as brave a man, and as fond a father, as ever lived. He was moreover one of the sagest captains in a warlike age. But he was also full of the spirit of chivalry: and chivalry taught that to give a young prince the opportunity of signalising his valour against almost desperate odds, and the chance of winning at any risk the whole glory of a great victory in his first stricken field, was the greatest boon that a sire and a sovereign could bestow. Probably the strongest act of self-denial that Edward III. ever succeeded in performing was when he refrained from riding down into the raptures and honours of the hand-to-hand fight at Cressy, and when he ordered that his heroic son should have neither assistant nor rival in his struggle for life and fame.

Need of bearing this in mind.

Chivalric perfection of Edward's conduct at Cressy.

If chivalry is forgotten, he would seem a fool and coward.

Edward's self-denial in giving up to his son all the *certaminis gaudia* and all its honours.

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1327.

Much might easily be composed or quoted here respecting chivalry and its usages; but I believe that no formal essay on the subject can bring before the mind so true or so vivid an image of the bright features of the chivalry of the fourteenth century, as is acquired by reading the narrative of Edward III.'s wars in the old contemporaneous chronicle of Sir John Froissart.* He seems to bring before our very eyes the venturous true knights, and their graceful and gracious lady-loves. In reading Froissart we almost fancy that we see the champions careering in the tournament, or charging on the battle field. He makes us hear the pompous proclamations of the gorgeous heralds, the blithe challenging war-cries of the combatants, their invocations of saints and damsels, the splintering of the lances, the clang of sword on helmet, the deadly whir of the bolt from the arbalast, and the thick-falling shower from the English bows. He makes us assist at spectacles of ceremonious but generous courtesy of the victors towards the vanquished; and at solemn scenes of devotion,—of a devotional feeling thoroughly sincere, though often strangely co-existent with acknowledged and continuing sinfulness. There is little fear that any reader of the present time should be misled by Froissart's glowing admiration of his brave knights and ladies fair into overlooking the serious evils, which the prevalence of the chivalrous spirit in that age increased, if it did not originate. Excessive pride of birth, with insolence and injustice towards all not of noble or knightly race; an inordinate passion for warfare, and an irrational contempt for peaceful usages and peaceful industry; great, though not gross, licentiousness; and

Froissart's chronicle the best mirror of chivalry.

His imaging forth its brighter features.

Its evil characteristics.

* Some remarks on the sources whence Froissart learned his facts, and on his versions of his Chronicle, will be found in a subsequent note.

the making man's principal motive for action consist in a love of glory rather than in a sense of duty —these and other unfavourable characteristics of the knightly personages of those times are sufficiently prominent in history to prevent any judicious reader from regretting that the age of chivalry is past.*

* Knights, knighthood, knights' service, knights' fees, and similar phrases occur so frequently and over so long a period of English history, and they moreover occur often under such very unromantic aspects, that it may be well to point out the two distinct elements of Knighthood.

One was the chivalrous spirit (using the word "chivalrous" in the sense which it has retained in our language), through which the initiation in arms of a young Germanic warrior was a hallowed solemnity, and which led him to seek adventures and renown by attaching himself to some one of the most daring and celebrated war-chiefs of his day. It has been pointed out in the preceding volume (p. 196-8) how the condition of Europe generally during the tenth and eleventh centuries caused the castle of each noble to become a school, where youths of gentle birth learned the management of arms and horses, and where they also grew up under the graceful and dignifying influences of female society. We have seen, too, how the long and varied struggle between the armed powers of Mahometanism and Christianity gave more and more a religious (or a supposed religious) character to the inauguration, the vows, and the obligations of the young European champion. A knight, thus considered, was a knight not by reason of his belonging to any particular nation, or by reason of his possessing any amount of property. His good steed and his good sword might be, and often were, a knight's only wealth. As he might have received his own knighthood from any knight, so he might confer knighthood on others. This was the general rule; though in England our kings gradually established the important exception that their subjects must be knighted by their own sovereign only. But, generally speaking, knighthood was an institution common to all Christendom, and which embraced all Christian warriors, when admitted to its rites, in one great military, semi-sacerdotal association; the special objects of which were to combat infidels, to help the weak and oppressed, to practise liberal generosity towards other knights and towards heralds, poets, and pilgrims; and above all, to love the ladies, each knight striving to exalt his own particular lady-love's glory.

The other source that influenced the characteristics of knighthood and everything connected with it in our country, was the system pursued by our kings, after the Conquest, of not only making chivalry "a cheap defence" of the nation, but of making it also the means for recruiting the royal finances. The first step towards this was the requiring the king's military tenants to take the order of knighthood before, or when, they made their appearance to perform their appointed service in the field. This probably was at first the result of custom rather than of policy. The greater part of those who served the Conqueror and his near successors in what was deemed by far the most honourable part of the army, the cavalry, were actual

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First part of Edward III.'s reign.

Isabella and Mortimer the real rulers.

During the earlier years of Edward III.'s reign his mother, Queen Isabella, and Earl Mortimer exercised all real power. The young King was allowed to take part in a campaign against the Scots (1327), in which the English arms obtained little honour or advantage, but in which Edward received useful lessons of generalship from Randolph and Douglas, the veteran commanders of his opponents.

knights; and it was natural for the young military landowner before, or as soon as he joined them, to receive the knightly rank, which placed him on an equality of social dignity with his brethren in arms. If any one held back from being knighted under such circumstances, it would imply a consciousness of deficiency in horsemanship, in use of arms, or in personal courage. Hence the requisition, that a military tenant should assume knighthood, would at first be (or at least would at first seem to be) no more than a requisition that he should prove and complete his qualifications for holding the king's lands by the most honourable of all tenures. As, however, the payment of a money commutation in lieu of actual service in the field became common, the number of candidates for knighthood from among the military tenants would naturally decrease. But our kings insisted that their military tenants should continue to receive knighthood, as one of the necessary incidents of military tenure. They who omitted to do so were liable to be distrained on by the king, their feudal lord. If the tenant preferred to pay a sum of money rather than take a burdensome and costly journey to the King's Court, and there undergo a still more costly ceremony, the king's ministers were naturally willing to take the indisputably useful coin, rather than add a recruit of very doubtful value to the ranks of knighthood. In the first year of Edward II.'s reign an attempt was made to put an end to the disputes and dissatisfaction created by this system, and to define the amount of landed property which should make its tenant liable either to become a knight, or to pay a fine for exemption. The Statutum de Militibus directed that no one should be distrained on to become a knight who had not land to the yearly value of forty pounds in fee, or for term of his life. Some classes of landowners were expressly allowed to compound. Men who had enjoyed their estates for a very short time; men who were afflicted with old age, or defect in limbs, or incurable disease, or with the burden of many children or lawsuits; men also who set up the excuse of being bound by vows; were to appear before the king's two commissioners, Robert de Tiptot and Antony de Beke, and pay such fine as the commissioners in their discretion should adjudge. The said Robert and the said Antony were at the same time enjoined to accept reasonable compositions.

The probable result of this and other similar proceedings on the part of the Crown was that many tenants in chivalry compounded rather than be made knights, but that many others took knighthood who otherwise would have abstained from it.

There is in the lately published fourth volume of Sir Francis Palgrave's

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Edward's essay in arms against the Scots.

In 1328 Isabella and Mortimer concluded in Edward's name the treaty of Northampton, by which the independence of Scotland was fully acknowledged. This abandonment of the claim to superiority wounded the national pride of the English people; and added

History of England, an admirable ideal sketch of the biography of a knight of this description. No modern city knight could be a more unpoetical, unwarlike, dull, matter-of-fact personage. Indeed it is self-evident that the idea of a knight by compulsion, who has haggled with the king's officers to the last moment in the hope of getting them to accept a fine less burdensome to the involuntary novice than the much-disliked ceremony, is utterly alien from the beau ideal of the chivalrous champion, who figures as the favourite hero in the pages of romance-writers new and old; and who was also, I firmly believe, no fabulous or even uncommon character in real mediæval life. No country produced more brilliant specimens than England did of romantic chivalry, especially during the fourteenth century. But the others, the prosaic kind of knights, knights who became knights as a mere matter of business, were also very numerous.

Another species of prosaic knights of great antiquity was composed of officials who received knighthood, not on account of any military tenure, or in connection with any belligerent duty, but because they had been promoted to some important, though often perfectly pacific post in the government of the country. The judges of the Superior Courts supply familiar instances of this kind of knights. The probable origin of these seeming *Milites a non militando* was this: the Conqueror and his sons who succeeded him, and also Henry II., required many administrative duties to be performed by the lay residents in each shire,—by men whom the Norman sovereign could most safely trust, and who by birth, wealth, prowess, and ability, had most influence in their respective localities. In the age of the Conquest, and for some time afterwards, men of this description were almost sure to be men who were actually knights. So that a regulation for certain political, administrative, or judicial duties being performed by knights was at first, in effect, a regulation that they should be discharged by the best qualified persons, having regard to the interests of the sovereign, as well as to those of the community. In this wise, the idea of such offices and of their holders became connected with the idea of the *status* of knight. And, when men of other conditions were gradually more and more employed in carrying on the functions of government, these *novi homines* received knighthood as a kind of honorary degree to raise them in popular esteem up towards the level of their patrician colleagues and predecessors.

What has been written in the earlier part of this note, about the knights of all Christendom forming one great association, is by no means inconsistent with the well-known facts of there being various degrees of knighthood, and many special orders of knights; sometimes special with regard to the object to which they were mainly devoted, sometimes special with regard to the country in which they were formed, and the peculiar cognizance which they assumed. One illustrious order of the latter kind will soon come under notice as we proceed with Edward III.'s reign.

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1328.

to the general hatred with which the Queen Mother and Mortimer were regarded. They maintained their power for a time, and succeeded in breaking up a league formed by some of the chief English nobles against them. The Earl of Kent, the King's uncle, who had taken the lead in this scheme, was put to death by them on a fabricated charge of treason; but young Edward himself was now rapidly advancing in spirit as well as in years, and the death of the Earl of Kent was speedily followed by the destruction of Mortimer.

The treaty of Northampton.

Its unpopularity with the English.

Tyranny of Mortimer.

Edward plans his own liberation.

The King felt increasing indignation at the state of pupillage in which he was kept by the Queen Mother and her favourite; and his filial affection towards her was counteracted by his knowledge of the disgraceful connection between her and the Earl. He had learned also to regard them both as his father's murderers. They were too powerful and too vigilant to be attacked by open force; but the young King secretly encouraged the Lords Montague, Clifford, Neville, and other lords, of whose loyalty towards himself he was assured, in a daring enterprise, by which England was freed from her Ægistheus and Clytemnestra. A parliament had been summoned at Nottingham, and Isabella and Mortimer occupied the castle of that place with a strong military force. Lord Montague had discovered a subterranean passage into the fortress, which was left unguarded, and through this entrance he and a band of determined followers made their way into the stronghold. Edward joined them on the staircase of the principal tower, and they forthwith made their way to the Queen's and Mortimer's apartments. Two knights who endeavoured to guard the chamber were slain. One of the attacking party was struck down by Mortimer; but he was speedily

The Queen Dowager and Mortimer are surprised and captured at Nottingham.

secured, though Isabella implored the King in his behalf, crying, "Sweet son, fair son, Oh, spare my gentle Mortimer."

Edward summons a parliament at Westminster.

On the morrow Edward issued a proclamation, informing his loyal people that he had taken the government into his own hands, and summoning a new Parliament to meet at Westminster. The Lords at this Parliament convicted Mortimer of treason, and he was executed by the ignominious punishment of hanging. At the King's request, they also passed judgment on four commoners, as accomplices of Mortimer, but with a protest that peers in future should not be bound to give judgment on any but peers. The Queen Dowager was kept through the remainder of her life in honourable but careful custody at her manor at Castle Rising. Edward received a sensible and humane letter from Pope John XXII., exhorting him not to put his mother to shame, but to conceal her guilt as far as he could do by honest means. The pontiff also gave the young King seasonable and enlightened warning to avoid the errors of his father, and not to give himself up to the influence of favourites, but to govern in accordance with the advice of the general assembly of the prelates, great lords, and other nobles, and of the commons of his realm.*

Execution of Mortimer and others.

Fate of Queen Isabella.

The papal advice to Edward.

Edward's marriage.

At this period, which we may consider the real commencement of his reign, Edward III. was eighteen years of age. Young as he was, he was already a husband and a father. He had been married in 1328 to Philippa, the daughter of the Count of Hainault and Holland, a princess who, for beauty, sense, and spirit, was well worthy to become the wife of the greatest sovereign of the age. Their eldest child,

* The letters are quoted in Lingard, vol. iv. p. 19, n.

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1330. Birth of the Black Prince.

Edward, who became the renowned Black Prince, was born at Woodstock, near Oxford, on the 15th of June, 1330, a short time before the young King broke the sway of Isabella and Mortimer.

Popularity of Edward III.

Every circumstance tended to make Edward III. one of the most popular kings that ever came to the English throne. The domination of Mortimer and the Queen Mother had been odious to the nation; and Edward had freed the country and himself from it with spirit and courage, which inspired general hope that after the long calamities and disgraces of the reign of Edward II., a period as glorious as the best days of Edward I. was opening for England. The young King had the personal advantages of beauty and symmetry and of a naturally athletic frame. He had been carefully trained in all martial accomplishments and exercises; and his passion for chivalric displays and feats of prowess had been heightened by the ostentatious encouragement which Mortimer, in the time of his ascendancy, had given to tournaments and to pageants, and to imitations of the supposed scenes and champions of romantic legends.* Edward's intellectual abilities were not inferior to his bodily; and the greatest care had been bestowed on his mental as well as his physical education. His demeanour was dignified; and he had also those graces of affability and of agreeable conversation, which are so very influential when displayed by a sovereign towards the subjects whom he appears to delight to honour.

His personal advantages.

It would unquestionably have been the highest wisdom and truest patriotism in Edward III. to keep his realm in peace, avoiding the infliction of misery on others by aggressive warfare, and only so far encouraging the

* Mortimer kept a round table of knights in the fashion of what was believed to have been the round table of King Arthur.

martial spirit of his people, as to be ever in full preparation for self defence. But to expect this from such a King in such a high position would have been to expect in him a superiority to his age, and, indeed, a superiority to the peoples as well as the kings of all ages.

Animosity of the English nation towards the Scots.

The indignant shame felt generally by the English for their humiliation by the Scots during the late reign made a renewal of northern warfare the most popular policy Edward could adopt, even if he had not been personally eager to avenge Bannockburn, and to efface the recollection of the unsuccessful campaign of his own boyhood in Scotland. Pretexts for quarrel between the two countries were always ready. In this instance they were supplied by an article in the treaty of Northampton, by which the Scottish King bound himself to restore to certain English barons estates in Scotland, which had belonged to them, but which had been seized by Bruce during the war of liberation. The lands so belonging to two noblemen, Henry de Beaumont and the Lord Wake, were still retained by the Scottish rulers; and these two barons, in concert with Edward Baliol, son of the Baliol who had been competitor against Robert Bruce, planned an expedition against Scotland, with the view of dethroning David II., King Robert's infant heir, and setting up Baliol in his stead. King Edward of England took no open part in this measure; but subsequent events showed clearly that it was prepared with his knowledge and sanction. Embarking with a small band of followers at Ravenspur, near the mouth of the Humber, the adventurers landed at Kinghorn in Scotland; surprised the Scottish army at Dupplin; and within seven weeks after the commencement of his desperate expedition, Edward Baliol was crowned King of

Disputes as to the non-fulfilment of the treaty of Northampton.

Expedition against Scotland planned by young Baliol and others.

Baliol surprises and defeats the Scottish army.

He is crowned King of Scotland.

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1333.

Scotland at Scone; and his royalty was seemingly recognised by the greater part of the Scottish nobles and prelates.

He acknowledges Edward III. as Lord Paramount of Scotland.

Baliol followed his father's example in acknowledging the King of England as feudal Lord Paramount of Scotland; and he bound himself by treaty to place the important border town and fortress of Berwick in the power of the English Sovereign, and to serve him in all his wars with two hundred men at arms. It was intended to procure the recognition of the treaty by the Scottish Parliament; but before a Parliament could be summoned, the young Earl of Moray (who was one of the chief Scottish nobles that adhered to the cause of King David Bruce) had overthrown Edward Baliol by an attack as sudden and successful as that of Dupplin Moor; and Baliol within three months after his coronation was again a refugee at the English Court. Open war between Scotland and England soon followed; and in 1333 King Edward, with a powerful English army, laid siege to Berwick. The Scottish army under the Regent Archibald Douglas advanced to relieve the town; and Edward III. took up a position with great judgment on Halidon Hill, to the west of Berwick, to intercept them. As the Scotch struggled forward to the attack through the marshy ground that lay at the foot of the hill, the English archers, with steady and deliberate aim, sent death and disorder among their ranks. In the words of one of the old writers, "the arrows flew as thick as motes in the sunbeams." The Scottish spearmen, led and encouraged by their chief nobles, still pressed gallantly forward, and those who passed the marsh formed their column again at the foot of the hill, and charged upwards against the English. But the English men-at-arms, who were perfectly fresh, and in good

Baliol is surprised and defeated by the adherents of Bruce, and is driven back to England.

War between Scotland and England.

Siege of Berwick.

Great victory of Edward III. at Halidon Hill.

Efficacy of the English archers.

order, besides having the advantage of the ground, encountered them hand to hand, and the Scots after a brave but brief struggle were driven back into the morass with heavy slaughter. Great numbers of the Scottish nobles, and at least fourteen thousand of their common soldiery fell in this great battle; in which Edward III. may have thought that he retrieved his father's defeat at Bannockburn.

Great slaughter of the Scots in this battle.

Berwick immediately surrendered to the English; and nearly all Scotland again submitted to receive Baliol as its king. But the surviving patriotic chiefs retained several strongholds, and the hearts of the people were with them. When Edward and Baliol led their armies through the land, there was no force to encounter them in the open field; but whenever the English troops retired, the Scottish chiefs renewed their harassing and daring warfare. Still, it seems probable that the superior power of the English must have ultimately prevailed; and that a temporary conquest of Scotland, which might have been maintained during Edward III.'s lifetime at least, would have been effected; if war with the King of France had not caused him to transfer his main forces from Scotland to other scenes of action.

Surrender of Berwick.

Baliol again set up as sub-King of Scotland.

Tenacity of the Scottish nation to the cause of independence.

Scotland saved by Edward's war with France.

We have now arrived at the commencement of that long series of the wars of the French succession, which spread so much and such continued misery over the country of one of the belligerents, and created in both nations a pernicious spirit of mutual suspicion and animosity, which has so often during five centuries blazed out into destructive hostility. The men of the present generation, who have reached mature age, must remember but too well to have witnessed more than once the menacing vitality of its smouldering embers. May the coming experience of the youngest among us

Commencement of the "Hundred Years' War" with France.

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1334.

realise our hope that an unholy and irrational spirit of feud between two great nations has at last died away.

The contest which commenced in 1338, which was renewed by Henry V. in 1415, and which lasted until the English began to slaughter each other in the civil war of the Roses, is called by the French historians "The Hundred Years' War." The term is substantially though not literally accurate. For the peace of Bretigni was little more than a hollow and ill-kept truce; and, save a few brief periods of this character, the war raged from the date of Edward III.'s first invasion of Picardy, until the expulsion of the English from Guienne in 1453.

Does the guilt of the origination of this war rest upon England?

It is usual to assign the personal ambition of Edward III. as the origin of this war. He has been generally censured by modern writers for having wantonly attacked France in selfish prosecution of a flagrantly iniquitous claim to the crown of that country. But his latest and best biographer has strongly maintained that the war in its inception was defensive on the part of Edward.* The mere fact of the English having invaded France by no means settles the question of aggression. The true aggressor in warfare is not the party who first employs force, but the party who first makes the employment of force necessary in order to check or avert grievous and substantial injury. It is requisite to examine carefully all the known facts of this case; and to scrutinise the trustworthiness of the evidence by which the main facts are supported, so that we may ascertain whether the heavy guilt of having wilfully and wickedly originated this deplorable warfare rests upon the English King, and on the English nation,

* See Mr. Longman's Life and Times of Edward III.

which zealously supported their sovereign in the contest.

1328.

Family of Philippe le Bel.

The last French sovereign that required our attention, while we traced the history of England down to Edward III.'s accession, was Philippe le Bel, the unscrupulous and able adversary of our first Edward Plantagenet. Philippe le Bel left three sons, Louis, Philippe, and Charles, who reigned after him successively as Louis X., Philippe V., and Charles IV. He had also a daughter, Isabella, wife of our Edward II. and mother of our Edward III. All the three last-mentioned French Kings, Louis X., Philippe V., and Charles IV., died without male issue, but they all had daughters. According to the Salic law, as undisputedly recognised in France, none but males could inherit the crown. Accordingly, on the death of Charles IV. without male issue, in 1328, recourse was had to the lineage of Philippe III. le Hardi, the King of France who was father to Philippe le Bel. Philippe le Hardi left besides Philippe le Bel a second son, Charles de Valois; and Philippe de Valois, the son of this Charles de Valois, was living at the time of the death (1328) of King Charles IV., the last of the sons of King Philippe le Bel. Charles IV.'s queen was with child at the time of Charles's death. The right of succession was therefore for a short time in abeyance until the royal child should be born. If a male it would of course have been the unquestioned heir to the French throne.

Operation of the Salic law.

Rights of the House of Valois.

Appointment of a regent.

It was necessary to appoint a Regent until the birth of King Charles IV.'s posthumous child; and as the Regency in such a case was due by custom, if not by positive law, to the prince of the blood royal who stood next in right of succession, the question of who was to be Regent involved the question of who was to

Question of right of succession.

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be King in the event of the birth of a princess.* At this time England was ruled in young Edward III.'s name by his mother, Queen Isabella, and Mortimer.

Queen Isabella asserts the rights of Edward III.

Queen Isabella appears to have demanded a recognition of her son, as the true heir to the French crown, unless the widowed queen of Charles IV. should give birth to a son.

Arguments in support of the right of Edward.

In support of this claim it was alleged that, although by the admitted operation of the Salic law none but males could reign in France, there was nothing to prevent a male from claiming the throne, if he was the nearest of kin according to the ordinary rules of descent. In other words, it was alleged that, though a female could not herself inherit the crown, she could transmit rights of inheritance; and thus, although the French throne could not be occupied by Edward's mother, Isabella, who was daughter of King Philippe le Bel, who was the eldest son of King Philippe le Hardi, it was asserted that her son Edward had a right to reign in France as being grandson of King Philippe le Bel, and great-grandson of King Philippe le Hardi.†

The claims for Edward favoured by many jurists.

One French chronicler states that many doctors of the canon law and many doctors of the civil law maintained this opinion.‡

* According to some of the Chroniclers, King Charles had desired that, until the birth of the child, Philippe de Valois should be Regent. But this expression of Charles's wish (even if really made) would hardly have determined the Regency.

† A diagram best explains the rival claims of Edward III. and Philippe de Valois; and also points out, at the first glance, the fatal objection to Edward's claim, urged by the French lawyers, that even, according to his own argument, if a female could transmit the royal rights which she could not

‡ This is stated on the authority of the first continuer of the chronicle of Nangis, (p. 83) who lived so near to the time of these transactions, that he is likely to have been well informed on a matter of great general interest, and which appears to have been the subject of general discussion among men of learning. These opinions of the Publicists and Canonists seem to have preceded the formal decision of the University of Paris in favour of Philip of Valois, which the chronicler mentions separately.

1328.

Counter-claim of Philippe de Valois.

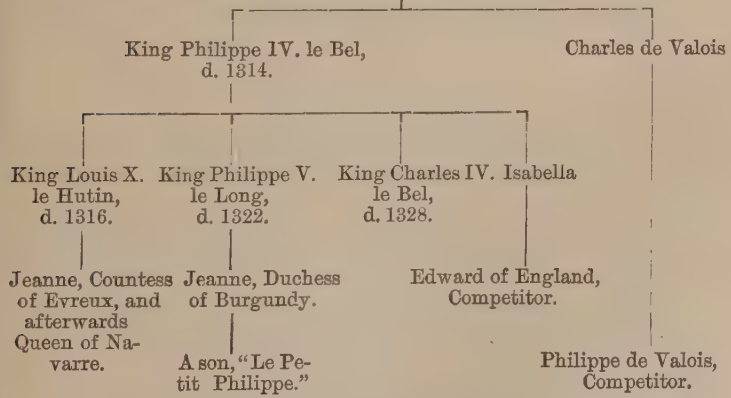
The other claimant of the Regency, Philippe de Valois, was the grandson of Charles de Valois, who was a younger son of King Philippe le Hardi, the common ancestor. But Philippe de Valois denied the limitation, which Isabella wished to place on the effect of the Salic law. He maintained that the right of succession to the crown was to be traced through males only; that (in the feudal phraseology of the age) the right of royal heritage devolved always on the Spear-side, and never on the Spindle-side.

Objection to Edward's claim.

Moreover, the jurists, who argued against the English claim, pointed out that, even according to the theory maintained in Edward's favour, Edward was not the true heir. They said: "There is young Philippe, the son of the Duke of Burgundy. Is not he born of Jeanne of France, the daughter of King Philippe le Long? and the Countess Jeanne of Evreux, is she not the daughter of King Louis le Hutin?"*

hold, the sons of the Duchess of Burgundy and of the Countess of Evreux stood between Edward and the French throne.

KING PHILIPPE III. LE HARDI, DIED 1285.


King Philippe IV. le Bel, d. 1314.
Charles de Valois
King Louis X. le Hutin, d. 1316.
King Philippe V. le Long, d. 1322.
King Charles IV. le Bel, d. 1328.
Isabella
Jeanne, Countess of Evreux, and afterwards Queen of Navarre.
Jeanne, Duchess of Burgundy.
Edward of England, Competitor.
A son, "Le Petit Philippe."
Philippe de Valois, Competitor.

* Martin. Histoire de France, iv. 563.

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Decision in favour of Philippe de Valois.

The French Peers consulted the University of Paris, which gave an opinion in favour of Philippe de Valois. The French Peers came to the same decision, and Philippe de Valois was made Regent.

Justice of the decision.

It seems impossible to doubt the justice of this decision. But the fact that many doctors of civil and canon law (even among the French) thought the claim on behalf of Edward well-founded, is not to be lost sight of, when we consider the question whether Edward and the English nation in after years maintained by arms a claim which they knew, or might have known on due consideration, to be grossly unfounded and unfair; or whether the asserted right was such, that they who maintained it might have honestly believed in its reality, under the influence to which human judgment is always liable, the influence of supposed self-interest. The old chronicler does not say what answer, if any, the partisans of Edward made to the objection arising from the existence of a male heir of King Philippe le Long. Possibly it may have been thought that such rights were waived when Charles IV. was allowed to ascend the throne without objection or protest. Possibly it may have been considered that a person who, though interested, kept out of the field in the controversy, was also out of the question.

But the claim for Edward not flagrantly wrong.

March, 1328, the English government announce their intention to claim the French crown.

In March, 1328, when the time for the birth of the posthumous child of Charles IV. was approaching, the English Government (that is to say, Isabella and Mortimer), by public letters addressed to nobles and to towns in the south of France, announced their intention of renewing the claim on behalf of King Edward.*

* Hallam (Middle Ages, vol. i. p. 48) has drawn attention to the documents in Rymer that prove this.

1328.

On the 1st of April the royal widow of Charles IV. was delivered of a daughter.

April 1st, 1328, the widow of Charles IV. gives birth to a daughter.

The subject of Edward's claim was brought before the English Parliament, which was convened at Northampton about that time, and it was determined to send an embassy to France to repeat the claim, and to prevent, if possible, the coronation of Philippe de Valois. This is stated in a public letter written by Archbishop Stratford in 1340 to King Edward, of which there is no reason to doubt the truthfulness.* A State record (authentic beyond all possible doubt) establishes the fact that the Bishops of Worcester and Lichfield were on the 16th of May at Northampton appointed Edward's proctors to take possession of the kingdom of France in his name. According to the narrative in Stratford's subsequent letter, they began their journey to that country, and, according to the statements made by King Edward himself in a letter sent by him to the Pope ten years afterwards, they entered France, and would have maintained their master's rights before the Peers of France, if they had not been stopped and driven back by threats of violence. A judgment of the French peers in Philippe's favour ensued.†

The renewal of Edward's claim considered by the English parliament.

An embassy sent to demand the French crown.

No demand actually made.

* The letter is in Wilkins's Concilia, vol. i. p. 664. It is cited and commented on by Mr. Hallam, Middle Ages, vol. i. p. 67, note.

† This letter of King Edward is cited in Avesbury, page 27. Avesbury is a very good authority. He was Registrar of the Archbishop of Canterbury's Court for some years prior to 1353. He had access to, and he made considerable use of, contemporaneous documents; and one of his informants was a churchman who attended the King abroad.

The passage of Edward's letter referred to in the text is as follows:—"Nostri Procuratores, qui in Franciâ inerant, ut pro nobis et nostro jure legitimo comparerent, non solum non fuerunt in judicio admissi, sed mortis horribilis comminacione repulsi. Et sic nostrum emulum memoratum factum XIIcim parium non excusat; qui quo ad nos (quibus ætatis tenella minoritas tum favebat) relictis partibus judicum ad hoc functi sunt latronum." The letter is also in Walsingham i. 204 (Rolls edition).

Jehan le Bel says that Edward, when he first took counsel about making

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There is authority, besides Edward's statement, for believing that a solemn assembly of the twelve peers and other barons of France was convened, after the Queen had given birth to a female child, and that in that assembly it was determined, with one accord, to give the throne to Philippe, and not to Edward.*

war on Philippe, professed his desire to obtain redress for the wrong done him when the French Peers adjudged the French crown to Philippe without calling the opposite party into court—"L'avoient les douze pers de France donné à Messire Philippe de Valoys d'accord et ainsy par jugement sans appeller partie adverse."—Vol. i. p. 120.

* This is expressly asserted by Jehan le Bel. (Les Vrayes Chroniques de Messire "Jehan le Bel," publiées par M. L. Polain, Bruxelles, 1863, vol. i. p. 8.) This recently-discovered chronicle makes a great acquisition to our sources of information respecting the reign of Edward III. as far as the treaty of Bretigni. Froissart (who was not born before 1337) avowedly based (in the original version of his Chronicle) the earlier portions of his Chronicle on the Chronicle of Jehan le Bel, whom he attests to have written with "grant cure et toute bonne diligence."

The original Chronicle of Jehan had often been sought for in modern times unsuccessfully, but M. Polain discovered and published a portion of it in 1850, and afterwards he succeeded in finding a copy of the entire work, which was published in 1863.

Jehan le Bel was born at Liege between 1280 and 1290. He was of noble family. He served in the auxiliary force under John of Hainault, Lord of Beaumont, in Edward III.'s early campaigns against the Scots. He afterwards became a canon of the Church of St. Lambert in Liege. John of Hemincourt (a contemporaneous writer who knew him well) describes him as living in great state and prosperity at Liege till his death at the age of upwards of 80. He praises him for many qualities and habits; and the following are important with reference to his value as a historian. Jehan le Bel had natural good sense. He wrote "chansons et virelais," and his esquires of honour were instructed whenever any stranger of rank came to Liege, "whether Prelate, Knight, or Squire," to invite him as a guest to the chivalrous canon's table. See extract from Jacques de Hemincourt quoted in M. Polain's preface.

M. Polain also cites another writer of that age, Jean d'Outremeuse, a native of Liege, who speaks of and quotes the Chronicle of Jehan le Bel. He says that this work was written by Jehan le Bel at the express desire of John Lord of Beaumont (the John of Hainault already mentioned), and that the narrative of Jehan le Bel was corrected by John of Beaumont, and by the Castellan of Warenne, who had been present at the events narrated in it.

Jehan le Bel writes as an eye-witness of the early campaigns of Edward III. against the Scots, in which he served under John of Hainault on the English side. It does not appear that he took part in any of the scenes in the French war.

He probably became a canon at Liege soon after his return from

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1329.

The coronation of Philippe de Valois took place at Rheims on the 29th May, 1328.

Philippe de Valois crowned, 29th May, 1328.

King Philippe VI. was entangled in war with the Flemings, and did not immediately call on Edward to do homage to him for his French fief, the duchy of Guienne, the county of Ponthieu, and their appurtenances. But after he had overthrown the Flemings at the battle of Cassel, in August, 1328, Philippe as King of France summoned Edward to appear as his feudatory. No notice was taken of the first summons. A second was sent in the following February. The English Government, after laying the matter before Parliament, determined that this should be complied with.* There was much discussion and wrangling as to the form, and as to the phraseology of the homage that should be rendered; as to what territory it should extend to; and whether it should be plain homage, or the fuller form called liege homage,† in which the feudatory took an oath of fidelity to the lord. According to a state document

His war with the Flemings.

He requires homage from Edward for Guienne.

Discussions as to the form of homage.

Protest on behalf of

England in 1328. But there is good reason to believe that his narrative of that war is based on the evidence of trustworthy eye-witnesses. His patron and principal informant, Sir John of Hainault, Lord of Beaumont, was a nobleman of high rank, nearly related to Queen Philippa, King Edward's wife. John of Hainault took an active part in the war, at first on King Edward's side, but afterwards on the side of King Philippe, whom he accompained in the campaign of Cressy, and in the march to relieve Calais. In Jehan le Bel's account of the battle of Cressy he expressly cites as his authority John of Hainault, and adds that he had made inquiries of other knights on the French side, and of knights also who had served on the English side. He pledges himself at the end of the prologue to his Chronicle as follows:—

"Je veuil mectre paine et entente quant je pourray avoir loisir d'escrire par prose ce que je ay veu et ouy recorder par ceulx qui ont esté là où je n'ay pas esté, au plus prez de la vérité que je pourray, selonc la mémoire que Dieu m'a presté, et au plus brief que je pourray, sans nulluy placquirer."

* See in Rymer, vol. ii. part iii. p. 23, the letter dated at Walyngford, April 14, 1329, sent with excuses for the previous delay in paying homage.

† See the distinctions explained in Ducange at the words "Hominium" and "Liege Homage."

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1329.

Edward that the doing homage was not to prejudice his right to the French crown.

Edward does homage unaccompanied by any such protest.

laid by Edward III. before the Pope in 1340, the English King (which means those who still governed in his name in 1329) sent a public protest to the French Court, solemnly declaring that King Edward did not intend by any homage, that he might render for Aquitaine and Ponthieu to the Lord Philippe de Valois, then assuming the character of King of France, to renounce his (Edward's) hereditary right to the French crown. Edward protested that he was about to do homage for his French possessions, only because he was in jeopardy of being otherwise unjustly deprived of them.* But whatever may have been said or written during the preliminary discussion, the fact is indisputable that Edward did, on the 6th of June, 1329, at the French Court at Amiens, publicly do homage for Guienne and its appurtenances and for Ponthieu to Philippe de Valois as King of France. The

* This pleading ("libellus") on Edward's side in justification of his conduct in maintaining the war for the French Crown, is published in the continuation by Raynaldus of the Annales Ecclesiastici of Baronius (vol. xxv., —the passage referred to in the text is at p. 204); it was Edward's answer to a letter sent to him by Pope Benedict XII. in 1340, wherein the Pope exhorted him to make peace with King Philip, and reasoned with him on the groundlessness of his claims. Edward thus deals with the objection arising from his having in 1329 recognised Philip as King by doing homage to Philip. He says that he, Edward, "ante pactionem homagii per quendam procuratorem suum ad hoc specialiter constitutum protestabat palam et expresse quod per homagium quodcunque domino Philippo de Vasio, tunc pro Rege Franciæ se gerenti, per ipsum regem Angliæ pro ducatu Acquitaniæ seu pro Comitatu Pontini faciendum non intendebat nec intenderet renuntiare juri hereditario, quod sibi ad regnum Franciæ competebat, seu etiam juri aliqualiter derogare, etiamsi literæ super hoc suo sigillo quocunque in posterum signarentur: et protestabat quod non faceret prædicto domino Philippo aliquid homagium suâ spontaneâ voluntate, sed dumtaxat illud faceret propter metum justum amissionis dictorum ducatûs et comitatus."

Mr. Longman (vol. i. p. 28) is not quite accurate in citing this letter as evidence that when the English Government consented to homage being done "A *secret* protest was however recorded that, in doing homage to the King of France, Edward did not thereby intend to renounce his claim to the French crown." If Edward's letter is trustworthy, it proves much more than the recording a secret protest.

words and the ceremonial of homage distinctly and repeatedly treated Philippe as King of France.* There was no accompanying protest or reservation of Edward's rights on this point. The record of the homage states that an oral protest was made by the Bishop of Lincoln, who attended Edward, to the effect that Edward did not intend to renounce or diminish any of his rights in Guienne. But the fact of this being mentioned, while nothing was said about rights to the French crown, made Edward's homage a still more conclusive and unconditional waiver of any claims in opposition to King Philippe's royalty.

Clear recognition of Philippe as King of France.

King Philippe, on his side, had stipulated that by consenting to receive plain homage from Edward, he should not be taken to have waived his right to liege homage. Several embassies and demands and royal messages passed between the two Courts on this subject during the last part of the year 1329 and the year 1330; and there was also much dispute as to whether all the places in Guienne, which Philippe was bound to restore to Edward, had or had not been given back to the English. War nearly broke out on this matter of difference; and the English Parliament, in February, 1330, was asked for subsidies to enable the King to carry on war against the King of France, if the King of France rejected all reasonable attempts at pacification,† and strove to deprive King Edward of

King Philippe's protest about liege homage.

Disputes continued as to liege homage:

and as to the restitution of places in Guienne.

Imminence of war on account of disputes about Guienne.

* See them in Rymer, vol. ii. part iii. p. 27. The commencement of the "Instrumentum Homagii" is as follows:—

"Au nom de Dieu, Amen. Scachent tous, par la teneure de ce public Instrument que presens nous Notaires et Tabellians publics, et les Temoins cy dessous nommés, vint en la présence du Tres Haut, Tres Excellent Prince, Nostre Tres cher Sire Philippes par la grace de Dieu Roy de France, et comparent en sa pesonne Haut et Noble Prince Monseigneur Edouard, Roy d Angleterre (et avec lui Reverend Pere l'Evesque de Lincolne et grande nombre de ses autres Gens et Conseillers) pour faire son Hommage de la Duchè de Guyenne et de la Pairie de France au dit Roy de France."

† See Rymer, vol. ii. part iii. p. 40.

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1331.

his hereditary rights in Guienne. But the English Government does not seem ever to have called in question Philippe's title as King of France, or to have in any way revived the English claim to the French crown. A treaty as to the territorial disputes was made between the two kings on the 8th of May, 1330.

Treaty as to Guienne made in May, 1330.

During all this time since Edward III.'s accession the English government had been practically wielded by Isabella and Mortimer; but in the October of 1330, Edward (as we have already seen) emancipated himself from them, and began to rule as well as to reign.

Edward emancipates himself from Isabella and Mortimer, 1330.

The conduct of the English Government towards King Philippe during the last period of Isabella and Mortimer's power, if considered altogether, does not seem to have been hostile to King Philippe, or such as might have made him reasonably suspect that the English intended to make war on him for the purpose of asserting Edward's right to the French crown. We must now look with care to the conduct of Edward himself when a free agent, and see if it shows any proof of his having designed an attack on Philippe's royalty, supposing Philippe to have forborne from hostile schemes against Edward.

The first recorded transactions with regard to France after the fall of Mortimer consist in more negotiations on the subject of Edward's homage; and on the 30th of March, 1331, a formal agreement was executed, by which Edward consented that the homage already paid by him for Guienne to "the excellent Prince his dear brother and cousin Philippe King of France," should be treated and should have full effect as liege homage—that is to say, that Edward was to be considered as bound in respect of Guienne by an oath

Agreement that Edward shall be considered as sworn to fidelity to Philippe, as King of France.

of fidelity to Philippe as King of France.* Here, therefore, we find Edward, within three months after his acquiring independent power of action, fully and unreservedly acknowledging Philippe as King of France. The next circumstance that we read of, is a strange and romantic journey into France, made between the 4th of April, 1331, and the 20th of the same month by Edward with his favourite Stratford, the Bishop of Winchester and Lord Chancellor, and with a few others of the great men of England. The writ by which Edward appoints a guardian of the kingdom during his absence, recites that the King was about to travel into France to fulfil a vow lately made by him in a season of great peril, and also on account of certain matters of business affecting his good and the good of the realm.† According to a state paper put forth by Edward six years afterwards Edward had been invited by Philippe to visit him privately; and the visit was made in the hope of thus obtaining the restoration of territories in Guienne which had been wrongfully seized by the French King. According to the same document, Edward humbly besought Philippe to restore the lands, but could obtain no redress.‡ It appears, however, that soon after Edward's return an amicable arrangement about one disputed castle in the south of France was effected; and a negotiation was opened for the betrothal of

Edward's pacific journey to France.

Further amicable dealings with King Philippe.

* See the instrument, and the form of homage appointed for future occasions, in Rymer, vol. ii. part iii. p. 61.

† The writ appointing a Custos Regni during Edward's absence is in Rymer, vol. ii. part iii. p. 62, dated at Dover, 4th April, 1331. There is a memorandum of the King's return on the 20th of April, at p. 65 of the same part.

Stow and Polydore Vergil speak of this journey; but both those chroniclers lived too long after the event for their testimony to be of much value, unless supported by contemporaneous documents.

‡ Rymer, vol. ii. part iii. p. 187.

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1333.

Proposal for inter-marriages between the two royal families.

Edward's infant son (afterwards the Black Prince) to a daughter of Philippe.* Several proposals had already passed for a marriage between Edward's sister, the Princess Eleanor, and one of Philippe's sons. Neither of these projected unions took effect; but the projects are themselves some proof that no war to deprive Philippe of his crown was then contemplated by the English sovereign. Afterwards, in the autumn of 1331, the English Parliament was consulted by Edward whether some still outstanding territorial controversies as to Guienne should be settled by treaty or by war. The Parliament considered that a settlement by negotiation would be best. Neither the English King nor any of his statesmen appears to have called in question Philippe's right to his crown, or to have uttered any menace respecting it.† In the next year (1332) Edward professed his willingness to join with King Philippe in a crusade, and his Parliament sanctioned the project, but recommended a delay of three years.‡ There seems abundant proof that all the policy and proceedings of Edward towards Philippe were fair and friendly, until Philippe helped the Scots in their war against the English during 1333 and the subsequent years, and also renewed on a more extensive scale his interferences with Edward's dominions and rights in Guienne.

Planning of a joint crusade by Edward and Philippe.

Edward's policy towards Philippe fair and friendly, until Philippe helped the Scots in war against Edward; and encroached more and more on Edward's territories in Guienne.

The writers who inveigh most against what they term Edward's aggressive and insatiable ambition, can point out nothing to support their charge, prior to Edward's reception of Robert of Artois in 1334.

King Philippe's domestic enemy, Robert d'Artois.

The story of the rancorous hatred between the Count d'Artois and King Philippe VI. is too characteristic of the age to be entirely passed over. Robert's county

* Rymer, vol. ii. part iii. p. 68. † Rot. Parl. vol. ii. p. 60.
‡ Rot. Parl. vol. ii. p. 65.

of Artois had been taken from him and adjudged to belong to his aunt Matilda by King Philippe V. On Philippe VI.'s accession, Robert of Artois (who had married this Philippe's sister) demanded and obtained a new trial of the right to the inheritance. In this trial Robert used forged charters, and his forgeries were detected and exposed. His suit was dismissed by the French King with ignominy, and he then sought to wreak his rage and disappointment on the person of Philippe VI. himself. He first unsuccessfully attempted to procure the King's assassination; and he then had recourse to sorceries, which were believed at that time to be as deadly as they were detestable. The operator in these horrible practices, having invoked the aid of the demons, formed a little waxen image of the person whose death he sought. This image was solemnly baptised by a priest, and then, after certain blasphemous incantations and ceremonies, the heart of the waxen image was pierced with a needle in the region where the heart would be in a human being. The person who had been thus pierced in effigy, was believed to be irrevocably doomed to a slow but agonising death, and was said to be "devoted" (envoulté) through diabolical influence. Robert of Artois practised (or was believed to have practised) the rite of this hideous superstition against the French King and the French King's son. Philippe VI. learned with the utmost alarm and fury that he and his heir had become "devoted" through his brother-in-law's agency. He now pursued Robert of Artois with unremitting vindictiveness. Driven from various places of shelter the Count at last made his way to England,* disguised as a merchant, where he arrived in 1334. Edward gave him

Robert's suit before King Philippe VI., to recover the county of Artois.

Robert forges, and is detected.

He seeks vengeance on the French King for dismissing his suit.

He tries in vain to assassinate him.

He then has recourse to sorcery.

King Philippe and his son are "envoultés" by Count Robert.

King Philippe's terror and anger.

* See Jehan le Bel, vol. i. p. 102.

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1334.

King Edward gives Robert of Artois shelter in England.

protection and showed him kindness. According to one edition of Froissart's Chronicle,* Robert then

* This is in Froissart's second edition of his Chronicle. For several centuries only one edition of Froissart's Chronicle by the author was known to exist. It is the one which Lord Berners translated into English in Henry VIII.'s time; and it has commanded the admiration of every age down to and including our own. But of late years other versions of the first book have been discovered; and we now know that Froissart wrote and re-wrote many parts of his work several times, and with considerable variation.

In order to know the value of Froissart's testimony as to many important parts of history, it is absolutely necessary to know something about these editions.

Great industry, learning, and skill have been devoted to this subject by M. Luce in his edition of Froissart for the "Société de l'Histoire de France," which is now in course of publication; also by M. Polain, M. Buchon, M. Rigollot, and others. In what I am about to write on it, I shall be chiefly guided by M. Luce, to whose introduction I refer.

It may be useful to premise that Froissart was born in 1337, at Valenciennes, which was then a town of Hainault, and not a French town. In 1361 he came to England, and obtained a post in the household of Queen Philippa, which he held till her death in 1369. He seems then to have needed help until he obtained some church preferment in Brabant in or about 1373. He appears to have been at first befriended, after Queen Philippa's death, by Robert of Namur, to whom the first edition of the first book of his Chronicle (as originally written and published) is dedicated. Robert of Namur had married Queen Philippa's sister, and was a strong partisan of King Edward, whom he first joined during the siege of Calais.

This original first edition is that with which alone the general public has been for centuries familiar. It is of all the versions by far the most favourable to the English, and dwells most copiously on all that can do them honour. It is supposed to show how much the writer was influenced by his position in Queen Philippa's household, and by Robert de Namur's communications and bounties.

A little after 1373 Froissart revised this first edition. The differences between the revised first version and the original first version are not very material, but so far as they go they show diminished zeal for the English. This revised first edition does not in its prologue mention Robert de Namur as the original first edition does.

Later in his life Froissart became the chaplain of Guy de Chatillon, Count of Blois, whose father fell at Cressy, and who himself had been long a hostage and a prisoner in England. At this period Froissart prepared the second edition of the first book of his Chronicle. This is far less favourable to the English, and it is also less based on Jehan le Bel's work. It is a tamer and duller book than the first edition, and was not extensively circulated. Only two MS. copies of it are known to exist.

Later still in life Froissart revisited England, when Richard II. was on the throne, and was received by that prince with great kindness and courtesy. The sense of these royal favours is supposed to have made Froissart regard

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told Edward that he repented of the injustice, which he (Robert) and the other Peers of France had done in giving the crown of France to Philippe de Valois in derogation of Edward's just rights as nearest lawful male heir. According to the same authority, Edward "was very thoughtful when he heard this, but still he listened to it willingly. However, for the time being, he made not much account of it, knowing well that it was a matter which he could recur to when he pleased."* It is hard to see how Edward's thoughts could have come to the knowledge of foreign chroniclers.

He is said to have urged Edward to claim the French crown.

the English nation, when they had deposed Richard, with anger and prejudice. In his old age he began a third edition of his Chronicle, which he did not carry beyond the death of Philippe de Valois in 1350. In this third version Froissart speaks with very great severity of the unamiable temper, the pride, and the turbulence of the English people. While making these censures, he bears unintentional, and therefore very valuable testimony to the constitutional freedom of the English people, and to the protection which all ranks received from the law. Only one MS. copy of this version is known to exist.

It will be seen from this sketch that before we adopt Froissart's panegyrics or censures, we must call to mind what his position was, when each of them was written. He gave prominence to some facts, and he slurred over others, as the varying bias of his partisanship from time to time directed; but I do not think that he ever directly falsified.

He is habitually inaccurate as to precise dates, localities, numbers, and other details of the kind; but as to main facts I believe him to be trustworthy, except where he pretends to report private conversations, not likely to have been disclosed by the parties to them. No writer ever represented more vividly the spirit of his age—that is, of its upper classes; and his first edition of his Chronicle, that which he wrote in his youth, is picturesque and animated beyond almost all other history, and beyond far the larger part of professed poetry.

* The writer of the "Chronique des Quatre Premiers Valois," first published by M. Luce for the same Society in 1862, states that the Count of Artois told Edward that Philippe kept him out of the French crown, inasmuch as he, Edward, at the death of Charles IV., "estoit le plus prochain heir male de la couronne. Les Anglois le tindrent a ceste opinion. Car Anglois ce que ilz pensent, ilz veullint qu'il soit Fait. Et a une assemblée qui pour ce fait fut faite, ilz crièrent, 'Par Saincte Marie nous nous ferons nostre roy roy de France.' Et des lors prist Edouart le tiltre de roy de France et d'Angleterre."

M. Luce thinks that this chronicler was a clerk of Rouen, who wrote during the last twenty years of the 14th century. He is a good authority for transactions near that date, but inaccurate and imperfect as to earlier matters.

According to Jehan le Bel, Edward, after conquering Berwick, and wast-

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1334-1336.

No proof of Edward having formed any design to dethrone Philippe before the latter part of 1336.

Good proof that such a plan was then formed by Edward, and that it became known to Philippe.

There appears to be no credible evidence of any word spoken or act done by Edward (beyond his reception of Robert of Artois) before the latter half of the year 1336, from which it might be reasonably inferred that he was forming or encouraging any project for wresting the crown of France from Philippe. There is good proof that at or about the last-mentioned time, Edward sent the Bishop of Lincoln and other envoys to Hainault, to consult Queen Philippa's father, the Count of Hainault, and John of Hainault, his brother, whether it would be prudent for King Edward to assert by arms his right to the French crown; and, if he were to undertake that enterprise, what alliances he ought to form. The English envoys were well received by the Count and Sir John at Valenciennes, and were told that the King of England had better seek the aid of the Duke of Brabant, the Bishop of Liege, and other princes and prelates, who were named. The Count expressed a strong desire that his son-in-law, King Edward, should succeed in the enterprise; and he also expressed his belief that with such allies as had been recommended, Edward might march as far as Paris to give battle to his rival.

The Bishop of Lincoln and his companions forthwith returned with this advice. Edward heard it gladly, and sent back the same ambassadors with a

ing Scotland, and settling his garrisons there, returned to England, where he kept such royal and knightly state, that he was called a second King Arthur. He then took counsel about obtaining redress for the wrong which Philippe de Valois had done to him in his youth by depriving him of the crown of France, as Robert of Artois had informed him.

In the collection of early political poems and songs in the Rolls Publications, edited by Mr. Wright, there is a curious French poem, written apparently by a friend of Robert of Artois, which assigns to that nobleman the chief part in instigating Edward to attack King Philippe. But Mr. Wright justly observes of this poem (Introduction, p. xv) "that it is entirely deficient of historical truth."

gallant train of knights to negociate in King Edward's behalf with the Duke of Brabant and other princes and prelates. King Philippe soon heard of these negociations, and prepared to counteract them.*

We may, therefore, take it to be a fact that Edward's design to dethrone King Philippe had been formed, and had become known to Philippe, in the latter part of 1336. But there is no proof of its having been

* All this is stated on the authority of Jehan le Bel (vol. i. p. 120 *et seq*). Jehan's great patron and informant, John of Hainault, was one of the persons to whom the English envoys were sent, and whose advice they were to seek. Jehan le Bel was himself at this time either a member of John of Hainault's household, or a canon of St. Lambert at Liege. In either situation he was likely to see and converse with the English envoys themselves ; but, independently of this, when we remember that Jehan le Bel's Chronicle was corrected by John of Hainault himself (see note at p. 56 *supra*), we cannot doubt that we have in the Chronicle the evidence of an eye-witness and an ear-witness to these circumstances.

It is very material to fix, at least approximately, the date of the first mission of the Bishop of Lincoln to the Hainault court on this business. No document accrediting those envoys on their first mission, or in any way referring to it, is to be found in Rymer or elsewhere. But it appears from documents in Rymer (vol. ii. part iii. p. 166) that the bishop, the Earl of Salisbury, and the train of knights who accompanied them on the second mission, were about to depart from England on that second mission on the 24th of April, 1337. It is clear from Jehan le Bel's narrative that there was no very long interval of time between the two missions ; and I should not have been disposed to date the bishop's first mission so early as any part of 1336, had it not been for the documents in Rymer (vol. ii. part iii. p. 157), by which King Edward empowers respectively the Count of Hainault and the Count of Juliers to make treaties for him. It seems reasonable to connect these with the first mission to consult the Count of Hainault about the claim on the French crown. It may be observed also, that there is clear proof that the Bishop of Lincoln was in England at least as late as the end of June, 1336, as he was one of the Royal Commissioners for opening and presiding over the great council which assembled at Northampton on the 25th of June in that year. (See Rymer, vol. ii. part iii. p. 148.)

Froissart (who was not born before 1337), in his earliest edition of his Chronicle, copied Jehan le Bel as to this matter almost word for word. In his second and third editions, especially the last, he has inserted many details about Robert of Artois persuading the English people and parliament that their King ought to be King of France ; and about the zeal of his people in the matter inducing Edward to take steps to enforce his claim. (See M. Polain's Froissart, vol. i. p. 119 *et seq.*, and pp. 357—368.) I doubt the trustworthiness of these details, added so very many years after the time of the supposed events.

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formed before. It is therefore extremely important to examine what occurred during 1334, 1335, and the earlier part of 1336.

For a long time before this plan was formed Philippe had helped the Scots against England, and had attacked Edward's rights in Guienne.

He had also prepared armaments which threatened invasion of England.

Throughout the whole of this time Philippe continued to help the Scots in their war against England; and his aggressions upon Edward's dominions in Aquitaine grew more and more vexatious. There are also proofs that in 1335 and 1336, fleets and armaments were prepared in the French ports, which were calculated and apparently designed to do more than to help the Scots in their own country, or merely carry on the old system of pillaging and burning along the southern English sea-board. In August, 1335, it was thought necessary in England to put the country into a state of defence against invasion. Ships were impressed, and (what is more significant) commanders were appointed for the special military defence of London.* In the following February, the English government thought it necessary to order all men throughout England, of age between 16 and 60, to equip themselves with arms according to their station, and to prepare for service.† In the August of that year, Edward, in the writs of summons to Parliament, issued by him to his Lords Spiritual, stated the necessity of preparing for the defence of the kingdom against invasion as a principal subject for the consideration of his Parliament. That document recites that the King of France had rejected Edward's attempts to settle their dispute by amicable negociation. It recites that the King of France had openly asserted his intention to assist the Scots by all means in his

* See Rymer (ed. 1739), vol. ii. part iii. pp. 132—134; and see a previous document at p. 129, dated 28th June, 1335, as to the equipment of ships of war in Calais harbour.

† Rymer, vol. ii. part iii. p. 142.

power, and that he was preparing ships and troops in large numbers in many foreign ports for the purpose of attacking the kingdom of England, as well as of sending succour into Scotland for the Scottish enemies of the English King.*

The mission of the Bishop of Lincoln to Hainault to consult the rulers there as to Edward's claiming the French crown was certainly subsequent to all these dates. And, as the mission of the bishop to Hainault is the earliest well-proved fact which shows a design on Edward's part to assert that claim, it seems fair and reasonable to believe that King Philippe by his aggressions in Guienne, by his aiding the Scots, and by preparing armaments, which menaced England itself, forced Edward into a state of hostility with him ; and that Edward's assertion of his claim to the French crown was a consequence, and not the cause, of that state of hostility.

Edward's manifesto to his people as to the causes of the war.

This is further confirmed by the remarkable appeal to the English nation for liberal and zealous support in the war, which King Edward put forth in the following year. A record of this remarkable document is fortunately preserved. Copies of it were sent to commissioners specially appointed in nearly all the English counties, who were enjoined to publish and explain it clearly and fully to the people of each county. It recites the causes of the war, and the efforts made by Edward to obtain a settlement of disputes without war. It narrates the aggressions of the King of France in Guienne, his support of the Scots in their war against England, and his preparation of ships of war and troops. It states the destruction of English shipping, and the ravages of the English coasts by French squadrons ; and it asserts that the King of France was

It makes no mention of Edward's

* Rymer, vol. ii. part iii. p. 150.

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endeavouring to conquer not only the Duchy of Guienne, but all the territories of the King of England. It does not allege, and it in no way alludes to any wrong done or supposed to have been done by Philippe to Edward, in depriving him of the French crown.

claim to the throne of France.

Many of the affirmations in it supported by documentary proof.

It would be preposterous to accept the statements made by one party to a dispute, when he is justifying his conduct, as conclusive proofs of all the facts which he asserts; but there is strong documentary proof in corroboration of Edward's statements in that manifesto as to his attempts to avert warfare by negociation, and as to other matters.* But that document is specially important as negativing, by its silence as to Edward's claims on the French crown, the theory that the war was sought for and undertaken by him on account of those claims. It strongly contradicts a statement made by Froissart in his last version of his Chronicle, that, before the sending of the Bishop of Lincoln to the Count of Hainault, pains had been taken in England to excite the English people about their King's right to France, and that their zeal in the subject was an inducement to Edward to prepare for war.†

Conclusion that Philippe forced on the war.

The reasonable conclusion from all the facts appears to me to be, that Philippe, in his desire to annex Guienne, like other great fiefs, to the effective dominions of the French crown, determined to take advantage of Edward's being entangled by a war with the Scots, and to force on a contest between France and

* Rymer, vol. ii. part iii. pp. 119, 122, 129, 131, 135, 138, 140, 149, 150, 151, 153, 154, 157, 159, 163, 165, 183, 190, 198, 201; and part iv., pp. 4, 24, 39, 52, 59, 61, 64.

† See note at p. 67 *supra*. Walsingham expressly states that Philippe's aggression in Guienne caused the war, and that Edward before he led his army across the sea had made many humble proposals to the King of France, in the hope of recovering his territories.—Wals. vol. i. p. 221; see also p. 222.

England, while England could thus be taken at a disadvantage. There seems also to be an almost entire absence of proof that Edward, until thus virtually attacked by Philippe, had any design of attacking Philippe either during the Scottish war or as soon as that war should be over.*

King Philippe may have believed that a war for the French crown was inevitable.

But it is fair to bear in mind that Philippe may have been influenced by another motive besides his desire to seize Guienne, with which that desire may have been concurrent, and, to some extent, connected. Philippe may have believed that a contest between Edward and himself for the French crown would sooner or later take place. Edward's martial character, his fondness for knightly display and renown, his harbouring Robert of Artois (Philippe's deadly enemy), may have caused Philippe to expect this; although no overt act in furtherance of it had been committed by Edward. Holding that belief, Philippe may have thought it imprudent to wait until Edward could attack him with the undivided force of England, and perhaps with the forces of Scotland and England combined.

Ulterior question whether Edward, though justified in resisting French aggression, did not

Still, the question remains for consideration whether King Edward, although compelled by the aggressions of his adversary to go to war, gave or not to his originally just warfare the character of injustice, by blending with his legitimate grounds for hostility a wilfully false claim to the French crown. As to this

* Mr. Hallam, in his note to p. 52 of the first vol. of his Middle Ages, after discussing the documentary evidence as to when Edward disputed Philip's title, says :—"Probably Edward III. would not have entered into the war merely on account of his claim to the crown. He had disputes with Philip about Guienne; and that Prince had, rather unjustifiably, abetted Robert Bruce in Scotland. I am not inclined to lay any material stress upon the instigation of Robert of Artois." This is much more favourable to Edward than the epithets which are applied to him in Mr. Hallam's text.

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act with wilful injustice in claiming the French crown.

He may have reasonably supposed his claim to be just.

point, so many believed Edward's claim to be true,* that he may have reasonably thought the same. If we were to blame him for not perceiving that the success of an attempt to bring France and England under the same sovereign would be injurious to England, we should be merely blaming him for not having been very far in advance of his age, and of many subsequent ages, in judging of such matters.

Edward at the end of 1336 prepares for war.

He seeks for continental allies.

It is quite certain that, at the end of 1336, and in the first months of the next year, Edward bent himself earnestly to make adequate preparations for the great struggle, which was now becoming inevitable. It was obviously important to secure allies on the Continent; and the ill-will with which Philippe was regarded by many princes and peoples, gave considerable facilities for forming a league against him. But before dealing further with the subject of Edward's treaties with continental powers against France, it will be well to pause and consider the condition of France itself at this period, and of the other principal powers, especially of those that became involved in the war, or that influenced its progress by any of their proceedings.

General survey of other nations at this time.

Condition of the French monarchy at the outbreak of the war.

The French monarchy was now very much stronger than it had been at the time of the warfare between our Richard Cœur de Lion and Philip Augustus. Normandy, Anjou, Maine, Touraine, nearly all Languedoc, the territories of La Manche and L'Angoumois, of La Vermandois, Lyons and its vicinity; the counties of Auvergne, and Boulogne, parts of Champagne and La Brie, now formed portions, and effective portions of the dominions of the French crown. Navarre had been joined for a time to France by the marriage of Queen

* See p. 52 *supra*; and see M. Sismondi's observations—Histoire des Français, x. 7.

Joanna of Navarre to King Philippe le Bel in 1284. But as the Salic law did not prevail there, the crown of Navarre on the death of Charles IV. passed away to Joan, the surviving daughter of Charles's eldest brother Louis X., and then to her son, Charles the Bad.* The sovereigns of Navarre possessed some territories northward of the Pyrenees, which gave them importance in the various conflicts between the French and the English in the south of France. The grandson of Louis X., Charles the Bad of Navarre, possessed also, as his paternal inheritance, the county of Evreux in Normandy, which made him additionally powerful when confederated with Edward III. against the King of France. The most formidable possessor of French territory was the King of England himself, who held, as feudatory of the French crown, but practically as master, Guienne, Ponthieu, and the small districts of L'Aunis and Saintonge. The Duke of Lorraine held a considerable part of Champagne. The Pope possessed the district of Venaissin and the city of Avignon. The rest of Provence belonged to the King of Naples. A very serious cause of weakness to the French King was the virtual independence of the important Duchy of Brittany.

Condition of Spanish kingdoms.

Southward of the Pyrenees the Christian kingdoms of Castile, Aragon, and Portugal had continued to increase in strength. The Moorish kingdom of Granada maintained itself against the Christian arms; but all serious fear of the tide of conquest in that part of the world again turning in favour of Mahometanism had passed away. The kingdom of Castile was much the largest and most important in the peninsula; and,

* Charles the Bad (born 1330) had, according to King Edward's interpretation of the Salic law, a better right to the French crown, than Edward himself.

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except when it was necessary to distinguish between the different states southward of the Pyrenees, the general term of "the Spaniards" was commonly applied to the Castilians. There had been several intermarriages between the royal houses of France and of Castile; and the general friendship of the Castilian nobility and people for the French became an important matter in the wars of Edward III.

Connection of Castile with France.

Empire partly revived.

Prudent rule of Rudolf of Hapsburg.

The Empire had partly revived from the state of imbecility into which it had fallen in the middle of the thirteenth century.* The brave and prudent Rudolf of Hapsburg was elected King of the Romans in 1273. He had the sagacity to keep almost entirely clear of Italian affairs; and he occupied himself chiefly in strengthening and extending the dominions of his family, and in putting down the high-titled robbers, who from their petty fortresses infested many of the fairest regions of Germany. He encouraged the growth of the power and prosperity of the numerous free imperial cities of Germany. In local self-government, and for purposes of self-defence, they were independent; their representatives were admitted as members, together with the electors and the princes lay and ecclesiastical of the empire, to the general Diets or Imperial Councils. Very friendly relations were maintained between Rudolf and our Edward I. A marriage between Rudolf's son, Prince Hartmann, and the English Princess Joan, was arranged, but was broken off by the accidental death of the Austrian prince in 1281.†

Increased authority of the free imperial cities.

Friendship between Rudolf and our Edward I.

Reigns of Adolf of Nassau,

The reigns of the two Emperors who succeeded Rudolf (Adolf of Nassau, 1291—1298, and Albert

* See vol. i. p. 361.

† See Pauli's chapter on England's earliest relations with Austria and Prussia, in his "Pictures of Old England."

of Austria, 1298—1307) were periods of turbulence and weakness; and at the death of the last of them there was a delay in the election of his successor for more than a year, during which French influence and French gold were actively employed in endeavouring to obtain the Imperial dignity for Charles of Valois, who was brother of King Philippe le Bel, and was himself Count of Provence and King of Naples. But the electors chose Henry of Luxembourg (November, 1308), a prince of great abilities and greater ambition. He was crowned at Milan and at Rome; and he conducted some campaigns against those who opposed him in Italy with a vigour which inspired the Ghibelines of that country with enthusiasm and hopefulness. But the Italian climate was fatal to the Emperor Henry VII., as it had been to so many of his race. He died in 1313. Then came a disputed, a really doubtful election. The rival claimants, Louis of Bavaria and Frederick of Austria, made war upon each other for eight years, until the strife was determined by the complete overthrow and the captivity of Frederick at the battle of Mühldorf in 1322. Neither of these German princes was acknowledged as Emperor by the Popes. Clement V. and John XXII. affected to treat the empire as vacant; and John in terms of the utmost arrogance assumed the right of exercising imperial power during the vacancy, as incident to the general supremacy over all authorities, temporal as well as spiritual, which was divinely given to the Pope in his capacity of successor to St. Peter.* He even called in question the rights of the German Electoral Princes; and maintained that the Pope had the right

and Albert of Austria.

Attempt to transfer the Imperial crown to the French royal family.

Henry of Luxembourg, emperor.

His energy and ambition.

His early death in Italy.

Disputed election; Louis of Bavaria and Frederick of Austria rival claimants.

Louis victorious.

Conduct of the Avignonese Popes.

The Pope assumes right to rule the empire.

* See Ranke's History of the Reformation, vol. i. p. 45, and the Papal documents there cited. See also the Bull of 1317, cited by Dean Milman, vol. v. p. 450. A general supremacy over princes is claimed also by Pope

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Renewed attempt to transfer the empire to the French royal family.

Pope John XXII. excommunicates the Emperor Louis IV.

Indignation of the German people.

of examining into the merits of the person chosen as emperor by the Electoral College, and of rejecting him, if he thought fit.* The real and scarcely disguised design of the Avignonese Pope was to transfer the Empire to the royal family of France; and in 1323 he excommunicated Louis of Bavaria for assuming the power of King of the Romans without papal permission and for molesting the Pope's Imperial Vicar in Italy. But this excess of pontifical insolence, and the evident intent to aggrandise France at the expense of Germany, roused a general spirit of resistance; and at the Diet held at Frankfurt in 1324 the Pope's proceedings were solemnly examined, and condemned as iniquitous and void; his power over the Empire was denied, and he himself taunted with tyranny and with heresy. The pens of Ockham and the other Franciscan enemies of Pope John XXII. were evidently employed in this uncompromising manifesto. The spirit of resistance to papal encroachment was not limited to princes and scholars. The great mass of the German nation† was patriotically staunch in resistance to Avignon and France; and if the Emperor Louis IV. had possessed as much moral courage as his subjects, he would have fared much better and more honourably in the long struggle, which Pope John XXII. and his successors maintained against him with rancour equal to that, which their predecessors

John XXII. in his Decretals. He there styles himself "Summum Pontificem, cui in personâ Beati Petri terreni simul et cœlestis imperii jura Deus ipse commiserit." (Extrav. Johan., vol. xxii. tit. v. p. 380 in Pithæus.)

Pope John in 1321 appointed King Robert of Naples Imperial Vicar in Italy: and the French Cardinal Legate, Bertrand de Poyet, carried on war there in the name of the Pope as of the master of the empire.

* See *supra*, p. 34, and Milman, vol. v. p. 457.

† Ranke observes (History of the Reformation, vol. i. p. 47) that the plebeians of Germany in their municipal self-governments enforced the cause of their Emperor against the Pope with even more ardour than most of the princes.

had shown in the strife between the Popes and the House of Hohenstaufen. Even as it was, this renewal of the old quarrel between Emperor and Pope was important in facilitating German alliances for the King of England in his wars against the Pope's confederate, the King of France.

Why princes sought for the imperial dignity?

We may naturally pause here to inquire what there was in the station of Emperor to make that dignity the object of so much intrigue and contest. And as we shall find that the empire was actually placed within the hands of our Edward III. at one period of his reign, but wisely and patriotically declined by him, the inquiry is closely connected with our immediate subject.

Practical weakness of the emperor.

The Emperor, as Emperor, had neither imposing territory nor enviable wealth. The once ample imperial domains had been almost entirely frittered or filched away; and though the Emperor was "Semper Augustus," no decree could go forth from him that the world should be taxed. Cæsar's principal, though ignominious, source of ways and means came from the sale of titles of honour, and of the right to levy tolls.

Theoretical authority of the emperor as representative of the Imperial power of old Rome.

General need felt of a supreme controller of international strife.

But the Emperor's influence was still great by reason of the reverence, with which all the populations of central and western Christendom regarded him as the representative of the never-forgotten majesty of old Rome; and from the need, which thoughtful men, who loved social order, intellectual progress, and human happiness, felt of a supreme presiding Potentate, who should decide, as one having authority, in the strifes and controversies, which raged almost incessantly among the then new nationalities of Europe, and often between the various orders of society.* We must bear

* See as to the moral power of the emperors in the fourteenth and fifteenth centuries, Ranke's History of the Reformation, vol. i. p. 53, *et seq.*;

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Reverence for Cæsar felt and inspired by scholars, poets, and jurists.

in mind that the period of what we call the revival of the study of the classics had not arrived. Petrarch (the great Coryphæus of this intellectual movement), and a few other illustrious scholars of the middle and of the latter part of the fourteenth century, were already preparing men's minds for it; but it was not until the next century that the influence was generally felt of an enthusiastic study of Cicero, of an awakened and increasing knowledge of the orators, historians, poets, and philosophers of Athens, and of a new hero-worship directed to the statesmen as well as to the writers of the Greek and Roman republics. Until then the classics most studied and quoted (and they were extensively studied and often quoted) in the cloisters, the universities, the law-schools, and the palaces and castles of mediæval Europe, were the Latin poets, who sang the praises of Augustus and of other Roman emperors. Virgil and Statius stood highest in favour; next came Ovid. Virgil was regarded as an authority on matters of public principle and international right, scarcely inferior to Holy Writ; and his magnificent hexameters were accepted as incontrovertible testimonies that Imperial Rome was divinely commissioned to rule mankind; that Augustus was the impersonation of the original prerogatives of the Roman people; and that the peace and happiness of nations could never be more secure than under the benign autocracy of a Cæsar. Here and there a solitary scholar like Rienzi might, under peculiar local or personal influences, imbibe republicanism from studies extended to Tacitus and Livy; but the general effect of classical literature in the fourteenth

and the fifteenth chapter of Bryce's Holy Roman Empire. See also the sketch of the progress of the Constitution of the Empire in Robertson's xliind note to his view of the state of Europe.

century (especially in the earlier half of it) was such as has been here described, and such as may be found especially stamped on both the prose and the poetry of Dante.*

The influence of the civil lawyers (a class everywhere growing into very high importance in the State) was intensely Roman and strongly Imperial. Even the feudal element in European law gave strength to this feeling. The Emperor was regarded, at least by German jurists, as the supreme feudal lord, who conferred on property its highest and most sacred sanction.† He was much more generally acknowledged to be the supreme fountain of dignity. It was he that could create kings, even if he had no power over the territories which were their dominions. The Popes also had begun to claim a right to be king-makers; but this was generally looked on as an usurpation on the Imperial prerogative.

The popes rank the emperor

The Popes, indeed, though generally striving to exalt the Papacy over the Empire, were willing to admit

* Dean Milman (Hist. Lat. Christ. vol. v. p. 39) and Mr. Bryce (Holy Roman Empire, p. 291) rightly direct attention to Dante's treatise De Monarchia, as best illustrating the imperialist doctrines of that age. It is not long, and well deserves to be read through by all who would understand either Dante or his age. There is no servility in it. Dante emphatically asserts that rulers exist for the sake of their communities; and that the supreme emperor is, in respect of the object of his existence, the servant of all; though in respect of the way in which he is to do them service, he is the monarch of all. The essence of Liberty is Free Will, which many talk of, but few understand. "Principium primum nostræ libertatis est libertas arbitrii, quam multi habent in ore, in intellectu verum pauci."

It is a noticeable fact, that the most popular story-book of mediæval times, the Gesta Romanorum, which is a collection of wild and romantic tales about knights, and dragons, and enchantresses, not only had a Roman title given to it by its compiler, or compilers, but that care is taken at the commencement of nearly every story to lay the scene in the reign of some Roman emperor, generally an ideal personage, and often not connected with the events of the tale.

In the Gesta Romanorum, the emperors are always described as great and powerful, and generally as wise and good.

† Ranke's History of the Reformation, vol. i. p. 53.

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and proclaim the Emperor's titular superiority over other temporal princes; and the sovereigns of Europe habitually addressed him and spoke of themselves in language which admitted his pre-eminence in dignity.* All these honours (and many more might be instanced) may seem to be but barren; and the practical powerlessness of many of the Emperors is notorious. But still the old mass of traditionary authority was not altogether without weight and substance. An ambitious prince, with resources of his own, who became Emperor, might find in well-recognised imperial prerogatives ready pretexts for extending his actual domination over his neighbours. And even when Cæsar's sword was not thus weighty, Cæsar's sceptre could give a sanction to a treaty or to a war, which would sometimes determine a wavering judgment, and could still oftener satisfy the scruples of a moderately sensitive Church or State-conscience.

above other temporal princes.

Other sovereigns admit his pre-eminence.

All this gave some amount of moral power.

In northern Italy, the free Lombard cities had generally sunk under the despotic government of faction-chiefs, or military adventurers, and the Houses of Della Scala at Verona, and of the Visconti at Milan, were two of the chief Italian powers on land. In Tuscany the great commonwealth of Florence, though severely tried by her almost incessant civil strifes, and by her late unsuccessful warfare with Castruccio Castracani, Lord of Lucca, was powerful, wealthy, and free. Many other republican civic States flourished in Tuscany and its vicinity, but Florence was first of all. Her wealthy bankers, the Bardi and Peruzzi, gave important aid to our Edward III. in his French wars by

Condition of Italy.

The tyrants of Lombardy.

The Tuscan commonwealth.

Wealth of Florence.

Influence of her bankers over Edward's wars.

* "For a long time no European sovereign, save the emperor, ventured to use the title of 'Majesty.' The Imperial Chancery conceded it in 1633 to the kings of England and Sweden; in 1641 to the King of France."—Bryce (p. 273), citing Zedler.

loans, for which the English customs were frequently assigned to them as securities. These duties were farmed by these Italian merchant-princes at rates which seem to have been unfairly low; but probably the largeness of the interest thus allowed to the creditor was no more than compensation for the risk of non-payment by the royal debtor.*

Power and importance of Genoa and Venice.

Pisa, lately the great maritime republic of Tuscany, had now been stripped of her transmarine possessions by Genoa. Genoa and Venice, the two great commercial commonwealths of mediæval Italy, and indeed of the mediæval world, were in full glory and power. Venice took little or no part in the strife between England and France; nor did Genoa, as a State, actively engage in it, though her sailors readily took service for either Edward's or Philippe's gold, showing, however, a decided preference for their neighbours, the French. We read also of large bodies of Genoese troops in the French service. As the Genoese territory was scanty, these must have been regular mercenaries, whom the Genoese (like the Carthaginians of old) kept on foot to fight their battles; but whom they would readily hire out to a neighbouring prince, when they had themselves no immediate need for their services.

Genoese mercenaries largely employed in the war.

The Romagna.

Naples.

In central Italy the Romagna, the proper territory of the Popes, was a general scene of anarchy, strife, and wretchedness. Naples in the south was, under her dynasty of Angevine princes, a natural ally of France; but from her position she was unimportant in the contest. For the same reason it is unnecessary to do more than glance at the Greek emperors, who had regained

The Greek empire.

* Edward III. in 1345 owed enormous sums to both these firms. They both failed in that year. See Hallam's Middle Ages, vol. iii. p. 340, and note.

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possession of Constantinople, and of some of their old territories in Europe, besides what was left to them in Asia. The formidable power of the Seljukian Turks had been shattered by the Mongols; and, generally speaking, the Mahometan powers were at this time too weak and disunited to inspire any immediate alarm to Christendom. Careful statesmen might learn with uneasiness that a new Turkish nation, called after one of its early chiefs the Osmanlis, or the Ottoman Turks, had conquered the great city of Brusa in 1326, and had won Nicomedia in the same year; and that Nice, lately the Asiatic capital of the Greek emperors, had fallen before the same invaders in 1330. But Orchan, the second of the Ottoman sovereigns, after completing in 1336 the conquest of the north-west regions of Asia Minor, paused in his career, and devoted twenty years to the consolidation of the Ottoman resources. The kings and prelates of Christian Europe little thought that a Mahometan power was thus being matured, which would in little more than a century reign at Constantinople, and threaten to raise at Rome herself the Crescent in supremacy over the Cross.

Decline of Seljukian Turks.

Rise of the Ottomans.

English merchants at this time had factories in Scandinavia, and on other parts of the Baltic coast, which may have given us influence there; but the northern kingdoms do not appear to have taken any part in the great war in the west of Europe.

The Scandinavian kingdom.

The renowned mercantile confederacy of the Hanse Towns at this time was approaching the zenith of its power. The trading cities of north Germany, and the other countries along the Baltic, had about a century before this period felt the necessity of leaguing together for protection against the pirates and land-robbers (often nobles and princes), who plundered their factories and merchant vessels. The federation of cities

Wealth and importance of the Hanseatic league.

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thus formed acquired the name of the Hanseatic League, and became in fact one of the sovereign powers of Europe; making treaties, declaring and waging wars, besides enacting general regulations for the dealings of its members one with another, and for carrying on commerce with strangers. Eighty important towns were combined in it, of which Lubeck, Cologne, and Dantzig were the chief. Their connections with England had been much promoted in the early times of the league by Richard of Cornwall, King of the Romans, and brother of our King Henry III.* A factory and Guildhall in London was granted to them by royal letters patent in 1260, which was styled the *Aula Teutonicorum*, or German Guildhall, but is more commonly spoken of as the Hanseatic Steelyard, or as the Steelyard only. There the merchants from the Rhineland and the Baltic dwelt together in a position near London Bridge well suited for trading purposes, and well protected by massive walls against tumult and pillage. The wise liberality of our kings granted them many important privileges: and they made Edward III. frequent loans on terms advantageous to themselves: but, on the other hand, it was by the supplies of ready money thus obtained that the English Government was often enabled to prepare, and keep in a state of efficiency, its well-paid armies, which by their superior equipment and permanent organisation won for England many advantages over the more numerous but far worse-appointed levies of France.†

Favour shown in England to the merchants of the Hanse towns.

The Hanseatic Steelyard in London.

The Hanse merchants supply Edward III. with the sinews of war.

The most important of all the cities and territories

* See *supra*, vol. i. p. 361.

† See the very interesting and instructive description of "The Hanseatic Steelyard in London," in Pauli's Pictures of Old England. See also the last part of the preceding chapter in the same work on "The Emperor Louis IV. and King Edward III."

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Flanders, Brabant, and the neighbouring districts west of the Rhine.

in which Edward could reasonably hope to find effective aid against King Philippe VI. were the rich and thickly-populated states between the north-western frontiers of the French monarchy and the River Rhine. Hainault, Brabant, Gueldres, Juliers, Flanders, and other districts, had their counts and dukes, most of whom were princes of the Empire: but some were feudatories of France for portions of their territories. These countries, especially Flanders, were studded with wealthy cities, where a stirring spirit of democratic turbulence blended and co-operated with industrial energy, and with great aptitude for social and political organisation. The citizens of these great towns, especially the Flemish, were generally on bad terms with their feudal lords; and, as the kings of France habitually aided the counts of Flanders in their frequent hostilities with the burghers of Ghent and other cities, there was reason for Edward to regard the Flemings as his natural allies. The relations betwe en them and the English (though not unbroken by occasional jealousies and conflicts) had been generally amicable, and a strong community of trading interests bound them together. Ghent at this period was practically ruled by James van Artevelde, who was one of the most remarkable men of the Middle Ages, and whose death in a civic tumult in 1345 prematurely cut short the career of a far-sighted statesman, and a true patriot.

James van Artevelde of Ghent.

Treaty of the Flemish burghers with England.

By the influence of Van Artevelde, a treaty with England of amity and commerce was made by Ghent in 1337. The two other great Flemish cities, Bruges and Ypres, were also parties to this alliance. Edward had sent ambassadors to these towns, whose chief avowed purpose was to make treaties respecting the trade in wool, but they had also the more important

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object of preparing aid for England in the war, which was now known to be approaching.

Edward, in a convention with the emperor, in August, 1337, styles Philippe the Pretender to the crown of France.

The first State document, in which Edward publicly raised the royal matter of armed controversy between himself and Philippe de Valois, was a convention which he made on the 26th of August, 1337, with the Emperor Louis IV. In this he spoke of his adversary as the person now assuming the character of King of France. On the 7th of the following October Edward took the still more decisive step of issuing commissions to the Duke of Brabant and others, empowering them to take possession of the kingdom of France in his (King Edward's) name; and he issued other commissions making them his Vicars-General in France.*

Amity between the Emperor Louis and King Edward.

The implacable hostility with which the Avignonese Popes pursued the Emperor Louis, and the well-known connection between the Avignonese pontiffs and the French Court, made him and Edward of England natural allies. But the Emperor, with the want of moral firmness which characterised him, hung back from effective measures; and the connection between England and the Empire seemed likely to be a mere paper alliance. As, however, it had been arranged that the high contracting parties should meet, King Edward, in July, 1338, with a brilliant retinue, proceeded to Antwerp, and thence by way of Cologne to Coblenz, where a full diet of the Empire presided over by Louis, the Cæsar Semper Augustus, was held with all possible state and splendour. At this very time the Emperor was under excommunication by the Pope; but the English treated with civil indifference the Papal remonstrances against an alliance with one

Edward goes to Germany, 1338.

His presence at the Diet of Coblentz.

* Rymer, vol. ii. part iii. pp. 184, 192, 193. These last commissions are in duplicate, one set styling Edward "Rex Angliæ et Franciæ," and the other set styling him "Rex Franciæ et Angliæ."

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State assumed by King Edward and by the emperor.

accursed of Holy Church; and the Germans met the attempts of the Pontiff of Avignon to control their rights of election with indignant defiance. But while supporting the Emperor against the Pope, Edward took care not to lower his own dignity as King of England by submitting to a degrading ceremonial. He was called on to kiss the feet of Cæsar Augustus, but proudly refused, saying that he too was an anointed King.* At their State meeting in the market-place of Coblenz, a throne was placed for Edward of England as well as for the Emperor; but Imperial pride was soothed by the Emperor's throne being the higher of the two by a foot, and by the Emperor holding a sceptre in his right hand and the globe in his left. Four of the Electoral Princes and many other imperial dignitaries were present. The number of nobles and knights in attendance was calculated at 17,000. In the diet thus solemnly convened a series of important imperial regulations was proclaimed; and Edward was formally appointed Vicar-General of the Empire for all the districts westward of the Rhine.†

Edward appointed imperial vicar-general westward of the Rhine.

Edward returns to Antwerp.

Vacillations and delays of his continental allies.

Activity of the French in harassing the coasts of England.

The English King now returned to Antwerp, where he remained during the autumn and winter, vainly endeavouring to rouse his continental allies to prompt action, and seeking to strengthen himself by more treaties. Of the two belligerent powers France was at this period by far the most active. She had large squadrons in the channel, which incessantly harassed the English coasts; and the French, Genoese, and Spanish crews, that served King Philippe at sea, landed in large force at Southampton, and sacked and burnt

* Walsingham, vol. i. p. 223.

† Pauli's Pictures of Old England, p. 160.

that important town. The early months of 1339 found King Edward still at Antwerp, still entangled in the wiles of negociation. His adversary was more adroit and successful in the manœuvres of diplomacy. The Pope, acting in Philippe's interest, menaced the Emperor with renewed excommunication if he carried out his project of warfare in alliance with the English. King Philippe had also a zealous adherent and partisan in John, King of Bohemia. The weak and vacillating Emperor declined to join Edward, though he allowed his son, at the head of a small body of knights, to serve under him. Others, who had bound themselves by treaties to co-operate with Edward, wavered and delayed. It was not until September, 1339, that the English King found himself at the head of such a confederate force as enabled him to lay siege to the city of Cambrai, a city belonging to the Empire, but of which, with some other places in the adjoining territory, King Philippe had taken possession.

The emperor fails to join Edward.

Edward besieges Cambrai.

The siege was unsuccessful; and the English King, leaving Cambrai, marched into Picardy, laying waste the country, and hoping to bring on a battle with the army, which King Philippe had collected, and with which he had advanced as far as Peronne. But the French King in this part of the war showed thorough good sense and generalship. He acted on the defensive only; and baffled all Edward's manœuvres to bring him to action. Once the taunts of his adversary had irritated him so far that he set out his troops in battle-array; but he suffered his hasty purpose to be overruled by the wise advice of some of his counsellors, who pointed out to him that Edward's strength must soon be exhausted, if he repeated these expeditions without being able to obtain victories, whereas

Prudence of the French in avoiding a battle.

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King Philippe, if he gave battle, might find that his crown itself was staked on the result.

1339-1340 Edward perseveres in his projects.

Edward at last led back his army into Flanders, after a wholly ineffectual campaign. Still he was not repelled from his purpose by the failures of two years, though, besides the amount of treasure which he had expended without result, he had involved himself heavily in debt.

Edward assumes the title and arms of King of France.

He issues proclamations in that character.

By the advice (it is said) of Van Artevelde, after the campaign of 1339, Edward openly assumed the title of King of France, styling himself so on his great seal, and quartering the Lilies (the heraldic symbol of French royalty) on his arms. In February, 1340, he issued proclamations from Ghent to the Flemings and to the people of France, and to the world in general, setting out his title to the French crown, enumerating the injuries which he had sustained from Philippe, declaring his fixed purpose to assert his rights, and calling on the French nation to obey him loyally and zealously. He dates these instruments as of the first year of his reign over France, and the fourteenth of his reign over England.*

He returns to England. Summons a Parliament.

Promises that the liberties of the English shall not suffer because he is king of France.

On the 21st of February he returned to England, and issued summonses for a meeting of Parliament in Mid-Lent. In these summonses he desired his subjects not to feel surprise or alarm at his styling himself King of France. He promised that a full explanation of his reason for doing so should be laid before Parliament, and he pledged himself that no diminution of the rights of England as a kingdom, or of the laws and liberties enjoyed by Englishmen, was intended. The Parliament met on the 29th of March; and one

* See Rymer, vol. ii. part iv. pp. 64, 65, 66.

of the statutes passed in it is an Act which recites that alarm had been felt by some Englishmen, lest now that their King had become King of France, England should be put in subjection of the King of France and of the realm of France in time to come. King Edward solemnly promised that this should not happen, and that the realm of England and the people thereof should never be subject to him or any of his successors as Kings of France. This statute shows that, even in that age, an Englishman enjoyed more constitutional freedom than a Frenchman; and it also indicates that some of our countrymen, at the time when the conquest of France was attempted, were not altogether blind to the risk, that, if Edward made himself King of France as well as of England, France would, as the larger and more important country, become the seat of government, while this island sank into the position of a mere dependency. The statute, to which we have been referring, would have proved a feeble safeguard against such evils, if a King of England had succeeded in his schemes of continental conquest; but, fortunately for both countries, that project, though more than once nearly realized, was always baffled, and at last utterly defeated.

Statute of 1340 declaring that Edward by becoming king of France acquired no new prerogatives over his English subjects.

Proof of the subject having more liberty in England than in France.

Proof that some Englishmen foresaw the risk that conquering England might become a dependency of conquered France.

There was no part of Edward's conduct in which he showed better sense, than the extreme care which he took to conciliate the favour of his Parliament, and of his people generally, and to make the war, which he waged, the war of the English nation, and not merely the war of the English King. We have seen the care taken by him, in the August of 1336, to publish to his people, and to cause to be impressed on them by men of influence in each locality, how great the aggressions of the French King had been, and what efforts he

Edward's care to carry the national feeling with him in his warlike policy.

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had vainly made to obtain an amicable settlement of disputes. In 1338, after he had publicly denied Philippe's title to the crown of France, and asserted his own, he laid before the Parliament the subject of his wrongs and his rights; and he prepared for his expedition to the continent with the consent of his Lords Spiritual and Temporal, and at the urgent request of his Commons.*

His Peers assembled, and his Commons strongly recommend his expedition in 1338.

He sought the good opinion and co-operation of his subjects with equal frankness, after he had taken the important step of styling himself King of France; and though they showed their caution by the statute, which has been recently alluded to, they showed also how popular their King and his cause were, by the liberality of the supplies which they voted.

They requite his confidence in them by the liberality of their supplies.

When the King returned to England in February, 1340, he left the English army at Ghent. Preparations were made for reinforcing it largely; and the King was about to sail with the troops from Orwell, on the Essex coast, early in June, when tidings arrived that King Philippe of France had collected an immense fleet to intercept and destroy the English squadron as it approached the Flemish coast. Edward at first refused to credit this intelligence, and declared peevishly that he would set sail, telling his statesmen and admirals, "Ye, who are afraid where there is nothing to fear, may remain at home." But his good sense soon made him pay more heed to the warnings of

Edward's resolution to obtain

* See in Rymer, vol. ii. part iv. p. 4, Edward's letter to his sheriffs, shipmasters, and others, about preparing ships for the enterprise, in which he recites the assent of his Peers, "necnon instantem requisitionem communitatis regni."

As a rule, the assertions of Edward III. require corroborative evidence; but he would hardly have ventured on a falsehood on this occasion to men, who must have known the real state of the facts, and could not possibly have been misled by him, if he had tried to mislead them.

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those who served him; and he formed a resolution, worthy of his fame, to collect forthwith such an English fleet, as might not only secure the passage of his troops, but enable him to strike a decisive blow against the naval power of France. He thus would realize for England that dominion over the seas, which her kings had already begun to claim, but which little had been done to enforce, since the glorious victory gained off Dover in the reign of John. Edward had paid much attention to strengthening his navy during his wars with the Scots, who, partly with their own vessels, but more extensively with vessels hired, or borrowed from the French and other foreigners, committed serious depredations on the English coasts. There is a mandate extant which was issued by King Edward to the English admirals in 1336. The King's words in the preamble are, "We, considering that our progenitors, kings of England, were Lords of the English Seas on every side."* He then proceeds to give practical orders for the requisite measures to be taken against the marauding squadrons of the enemy. Similar expressions occur in other royal proclamations during these wars. But the ravages of the hostile squadrons were never wholly checked; and during the first years of the French war (1337 to 1340) the French fleets had a decided superiority, and committed dreadful ravages in many maritime districts of England, besides the capture and destruction of our merchant vessels at sea.

superiority at sea.

Edward's attention to his navy in the beginning of his reign.

Kings of England styled lords of the English seas.

Practical superiority of the French navy in the beginning of the war.

Edward's resources for collecting a naval force sufficient to cope with that of France were derived, to a considerable extent, from the supplies of ships and seamen which the seaports of southern Kent and

Maritime resources of England.

* Cited in Nicolas' Hist. Royal Navy, vol. ii. p. 17.

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east Sussex were bound to furnish for the service of the realm. There is reason to believe, that some of these ports had privileges granted to them by the Saxon kings on condition of supplying vessels and mariners. But it was not till after the Norman conquest that those places were fully organized into the maritime association called the Cinque Ports.

The Cinque Ports.

The title was derived from the circumstance of five ports, Sandwich, Dover, Hythe, Romney, and Hastings having been first thus distinguished; and the name was retained after the then important towns of Rye and Winchelsea had been added to the list, and after a number of smaller places, lying westward along the coast as far as Seaford, had also been included. The Cinque Ports were peculiarly privileged in their rights of local self-government and judicature; and they were exempted from the talliages and other burdens which fell upon all other towns. In return for these, and for many honorary distinctions (some of which still survive), the Cinque Ports were bound to furnish the King with fifty-two ships, fully equipped and manned, which were to serve him whenever the defence of the country required it, free of all payment and compensation. The period, for which the squadrons of the Cinque Ports were obliged thus to serve gratuitously, was originally fifteen days; but this was afterwards extended to forty; and we find instances also of a larger number of vessels than fifty-two being required of them. If the King detained them beyond the appointed time, he was bound to pay freightage to the shipowners, and wages to the crews.

Their ancient privileges.

The king's own ships.

Edward III. had also ships of his own, built or hired at his own expense; and one of his men-of-war, the "Christopher," deserves remembrance in English naval history. But these were few in number: and

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Impressment of ships, mariners, and stores, the great resource for fitting out the royal fleets.

what he mainly relied on (besides the supplies from the Cinque Ports), for the collection of a naval force sufficient to cope with that of France, was the royal prerogative of impressment, which in those days was systematically exercised, not only for the purpose of pressing mariners and soldiers for the King's service, but also for arresting and employing in that service private shipping and maritime stores of every description. Whenever, in the opinion of the King and his council, an emergency arose, which required more extensive naval operations than could be effected by the King's own ships, and by the contingents of the Cinque Ports, writs were issued to the King's Admirals and other officers, requiring them to arrest all ships above a certain specified tonnage, and to cause them to be equipped for war. Crews, provisions, tackle, and all other requisites, were seized and collected by similar arbitrary process. The maritime forces of the realm were usually divided, in Edward's time, into the northern fleet, and into the southern fleet, which included the squadron of the Cinque Ports. There are transcripts extant of a catalogue of the English ships collected by Edward when he was besieging Calais in 1347, and when he was making especial efforts to secure his mastery at sea. That list, called the roll of Calais, gives a sum total of seven hundred vessels, as composing the English north and south fleets.* Of course the greater part

The northern and southern fleets.

Catalogues of English naval force.

The roll of Calais.

Maritime strength of England in shipping in 1340-47.

* See Sir H. Nicolas, vol. ii. Among these the King's own ships were 25 in number, manned with 419 mariners. London sent 25 ships with 662 mariners. Weymouth 20 ships, 264 mariners. Dartmouth 31 ships, 757 mariners. Portsmouth sent only 5 ships and 96 mariners: this important place had been burnt by the French ten years before. Plymouth sent 26 ships and 603 mariners. Bristol 24 ships and 608 mariners. Shoreham 20 ships and 328 mariners. Southampton (which had been sacked by the French in 1338, though it had not suffered so severely

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Size of vessels.

of these vessels were of very small size, and even the ships that were regarded as vessels of the first class, seldom exceeded two hundred tons. The English ships were generally inferior in size to the Genoese and Spanish vessels, which they had often to encounter. And this disparity of bulk and height was a serious disadvantage in the mode of naval warfare then practised, which consisted chiefly in close fighting between the crews and soldiers whom each vessel carried. Archers also were placed on board, whose arrows before as well as after the grappling of the vessels, might have some effect on the issue of the combat; but more importance seems to have been attached to the effect of stones, beams, and other heavy substances, which were carried up to the top-castle of the mast, and thence hurled down on the enemy's deck, as she lay alongside. The effect of this was often to crash through her planks, and to sink her, besides the carnage which missiles so discharged could deal amid the crew. Sea-fights, indeed, closely resembled land-fights, or, rather, they were like cross-assaults of soldiers on mutually hostile fortifications reared up close to each other.

System of naval warfare.

Sea-fights like land-fights.

Merchant ships, how converted into war-ships.

The process of equipping an impressed merchant ship for taking part in such combats was not very complicated; and the names of the additions, which she received, attest the character of the naval warfare of

as Portsmouth) supplied 21 ships and 576 mariners. Newcastle sent 17 ships, 414 mariners. Hull 16 ships, 466 mariners. "Lenne," *semble* Lynn, 19 ships, 482 mariners. Boston 17 ships, 361 mariners. Yarmouth's contingent was the largest of all, amounting to 43 ships and 1905 mariners. Thirteen places in the North sent a single vessel each, the crews varying from 6 to 19 in number of men. We can probably form a proximate idea of the kind of shipping which each place sent, and of the general size of the vessels of the united fleets, by adopting Sir H. Nicolas' calculation, who considers that ships in this age were manned with about 65 mariners to every hundred tons of burden.

that time. She was fitted with her "castles." These were three in number: the castle in the bows, being termed the "forecastle;" that in the stern the "off-castle," or "aftercastle;" and a stage was built at the mast-head,* which was called the "top-castle."

Proportionate numbers of sailors and marines.

The number of fighting men placed on board a ship when fitted for war, in addition to her own crew, was usually about half the number of the seamen. Thus, a ship of 200 tons would be manned by about 130 sailors, and about 65 soldiers, or, as they now would be termed, marines.† But the sailors themselves were very effective combatants; and the ordinary life of a sea-faring man in those times was more like the life of the old Scandinavian sea rovers, or that afterwards led by the buccaneers of the 16th and 17th centuries, than it resembled the habits and occupations of those who navigate the commercial vessels of modern days. The frequency of wars between the great maritime countries made their seamen familiar with arms and conflicts, and taught them not only to defend their own ships and cargoes, but to seek vengeance and lucre by attacks upon those of others. Though truce or peace might be proclaimed on land, the State's orders to forbear from the normal practices of violence and plunder were little heeded at sea; and the mariners of the different nations, whether Scottish, English, French, Flemish, Spanish, or Genoese, thought more, when a sail hove in sight, of what was the stranger's fighting capacity, and what the worth of her cargo, than of what nation she belonged to, or by what crown or State she was commissioned. Quarter seems seldom

Character of the seamen of those times.

Pugnacious and semi-piratical.

* No ships seem to have had more than one mast each, except the vessels called "Fluves," which are supposed to have been large flat-bottomed transports.

† See Sir H. Nicolas's calculation, vol. ii. p. 127.

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Savage nature of naval warfare.

to have been given or expected in battle; and the summary process of throwing the survivors of the defeated crew overboard relieved the victors of a troublesome burden, and also often secured them from disagreeably hostile testimony, respecting the circumstances of the conflict, and the lawfulness of the prize.*

The English people

Edward was zealously supported by the English Parliament and people in his claim to the Sovereignty

* Chaucer's description of the "shipman" of that age is unequalled in picturesque vigour. He places the hardy skipper of Dartmouth before our very eyes, with his characteristically-indifferent seat on horseback, riding upon a hackney (rouncey) as he could, with his face bronzed (like those of Sir Walter Scott's pirates) by the hot sun, under which he had pursued his rough calling, and with his beard that had been shaken by many a storm. No less vivid are the brief, vigorous strokes, in which Chaucer paints before us the joviality, the skill, and the daring of the typical seaman, his contemptuous disregard of law, and his grim jest (which Avery or Morgan might have quoted) of "sending his prisoners home by water." I shall have occasion presently to draw largely on the "Prologue to the Canterbury Tales" for portraits of the English of those days, but I will at once recall to my reader's memory how—

"A shipman was there, wonéd far by west.
For aught I wot, he was of Dartémouth.
He rode upon a rouncy as he couth;
All in a gown of falding to the knee.
A dagger hanging by a lace had he
About his neck under his arm adown.
The hot summer had made his hue all brown.
And certainly he was a good felláw.
Full many a draught of wine he haddé draw
From Bordeaux ward, while that the chapmen sleep.
Of nicé consciénce took he no keep.
If that he fought, and had the higher hand,
By water he sent them home to every land.
But of his craft to reckon well his tides,
His streamés and his strandés him besides,
His harbourage, his moon, his lodemange,
There was none such from Hull unto Carthâge.
Hardy he was, and wise, I undertake.
With many a tempest had his beard been shake.
He knew well all the havens, as they were
From Gothland to the Cape de Finisterre,
And every creek in Bretagne and in Spain.
His barque yclepéd was the Magdalen."

of the Seas. In the Parliament which had been convened in the January of 1340, vigorous measures had been resolved on for assembling fleets at Winchelsea and Portsmouth by Mid-Lent, and for protecting the English coasts from spoliation. Ship-masters and experienced mariners from the various ports had been summoned to attend before this Parliament, to give information on naval matters—a salutary measure, which was frequently practised in this reign; the seafaring deputies or witnesses (whichever term seems most applicable to their functions), being sometimes summoned to attend before the Parliament and sometimes before the King's Council. After the King's return to England, and when the enemy's preparations in the opposite ports were known, the English squadrons were strengthened by more ships, more mariners, and more soldiers; and, on the 22nd of June, the King left the Essex coast with a fleet of 200 vessels, which was increased on its passage by the junction of a squadron of fifty ships from the northern ports, under Sir Robert Manby. On the following day, about noon, the English were off the Flemish shore, near to a port sometimes called "The Sluys," and sometimes "The Swyn." It is now almost choked up with accumulated sand, but it then was a harbour capacious enough to shelter a very great number of the largest vessels that were known in that age. The French fleet consisted of 190 ships, but among them were nineteen far superior in size and strength to any in the force under King Edward's command. One of these nineteen was the celebrated "Christopher," which the French had captured from the English in the preceding year, and the recovery of which was one of the objects nearest to the heart of every English sailor.

support their king in claiming the sea as English realm.

A Convention of seamen consulted on naval matters.

22nd June, 1340. The great English fleet sails for Flanders.

The harbour of "Sluys," or "The Swyn."

The French fleet descried at anchor there.

The captive "Christopher."

The French fleet was drawn up in four divisions,

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Preparations of the French admirals against attack.

and the ships of each division were fastened to each other with iron chains. This made it difficult for an attacking enemy to cut out separately the vessels of any one of the four lines; but it also made it difficult for the rest of the French fleet to give timely and effective support to any one of their divisions, in the event of that single division being briskly assailed by an overwhelming force.

Names of King of France's admirals.

The French Admiral in chief command was Sir Hugh Kirièt; Sir Nicolas Bahuchet was second in authority under him; and a renowned Genoese sea-officer, whom the French chronicler calls Barbe Noire, had command of the fourth or rear division. The fleet was manned by 35,000 French and Genoese, a very large proportion of whom were soldiers.

The Battle of Sluys, 24th June, 1340.

King Edward's dispositions for attack.

Edward made his attack and commenced the Battle of Sluys at highwater, at noon, on the 24th of June, 1340. He made his dispositions for action with great skill, assembling such a number of his best ships in his vanward, or attacking column, as gave him a great preponderance of strength over each of the French divisions, when taken in detail. The English bore down before the wind upon the first line of the French, where they met with a gallant resistance. Each English vessel, that could reach an enemy, instantly grappled her, and a scene of desperate fighting between the boarders on each side ensued. The men-at-arms fought hand to hand; the English archers plied their weapons with deadly skill, each bow-man being ready to do his duty with the brown bill, when the quiver was exhausted, or when a foe was too close for the bow to be effective. On the other side, the cross-bow men showered their bolts, and the heaps of stones, that had been collected in the top-castles of the masts, rattled and crashed over and through the adver-

sary's decks. Many ships were taken and retaken more than once in this close and obstinate encounter. At last the English prevailed. The French crews and soldiers were either cut down or driven overboard into the sea. The first French line was now all destroyed or captured, and, to the exceeding joy of the English, their favourite "Christopher" was regained by them, together with three other large ships —the "Edward," the "Katherine," and the "Rose"— all of which had been captured by the French in the preceding year. The "Christopher" was immediately manned with an English crew; and, with a strong force of archers on board of her, she was sent forward to continue the battle on the English side, against her late temporary masters.

He crushes the first line of the French.

The English recover the "Christopher."

They man her; and the "Christopher" fights again as an English ship.

The second and third lines of the French offered a feebler resistance than their van. Still the battle was prolonged into the hours of darkness, by which time the English had mastered three-fourths of the enemy's armada. The fourth division, under the Genoese Admiral, Barbe Noire, set themselves loose from their moorings, and, without attempting to aid their comrades, stood out to sea, inflicting in their way considerable damage on the reserved ships, which Edward had left in the roadstead to guard his transports. But Barbe Noire's squadron (like that of Dumanoir's, in after times, at Trafalgar), though it escaped from the great battle, fell in with an English force, by which the greater part of it was captured a few days afterwards.

The second and third lines of the French are attacked and beaten.

Their fourth division escapes, but is captured a few days afterwards by an English squadron.

The first act of Edward, when he landed after his victory, was to proceed on foot to the nearest church, and there to return thanks to the Most High for the deliverance and success, which had been vouchsafed to the English fleet and nation. He despatched a

Solemn thanksgiving of the English.

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King Edward's despatch and narrative of the battle.

letter to his son (then Duke of Cornwall, and afterwards Prince of Wales) in England, with a narrative of the action, which has lately been translated and published from a copy preserved in the archives of the City of London, and which has been justly commended for the spirit of modesty and piety which pervades it.*

Renown which King Edward gains by this victory.

The Battle of Sluys not only increased the renown of King Edward throughout Europe, but gave England for several years the very great advantage of superiority at sea over her enemies, and of greater safety for her ships and coasts; although the predatory attacks by small French squadrons were not wholly discontinued. At land, Edward's arms were this year unsuccessful. He laid siege to the city of Tournay; but it was bravely defended by a numerous garrison, and King Philippe of France continued his prudent system of watching and harassing the English army, without allowing himself to be drawn into a pitched battle. Edward's resources for paying his troops and subsidizing his allies were utterly exhausted, and he was obliged to agree to a truce for nine months, from the 25th September, 1340, which was afterwards prolonged to 1342.

He is still unsuccessful at land.

Repulse from before Tournay.

Exhaustion of Edward's resources.

An armistice agreed to, which is prolonged to 1342.

Edward was now loaded with debt; and his allies, who had shown little energy in the war, were unremitting in their importunities for the subsidies and wages, which he had promised to them. The King's ministers in England were either unable or unwilling to supply him with the sums which he required; and, soured by disappointment and annoyances, Edward suddenly embarked with his Queen, on a stormy

Edward's disappointments and embarrassments.

* It is given by Sir Harris Nicolas in the 2nd volume of his History of the Navy, p. 61. The original French is set out by Sir Harris in an Appendix.

November day, on board a vessel that was lying in a port of Zealand. No one in England expected him. His ship came unnoticed up the Thames ; and the King, landing at midnight at the Tower of London, found that important fortress almost destitute of guards. This added fresh fuel to his anger. In the morning he imprisoned the constable of the Tower, the Mayor of London, and others. He dismissed nearly all his ministers,* and his anger was especially directed against the ecclesiastical statesmen who had so long stood high in his favour, the President of the Council, and the Lord Chancellor, Stratford Archbishop of Canterbury. The King summoned the Ex-Chancellor to appear before him and answer the charges against him. Stratford, as Archbishop, refused to answer before any other judges than his peers assembled in Parliament.

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He returns secretly and hastily to England, Nov. 30, 1340.

He finds the Thames and the Tower unguarded.

He imprisons officers, and dismisses ministers.

His attack on Archbishop Stratford.

A strange controversy (which in the phraseology of modern times would be called a paper war) between the King and his chief subject now ensued The King published a proclamation, which he ordered to be read in all the churches in England, charging Stratford with grievous misconduct and fraud in first stirring up the war with France, and then by his malversations depriving the King of the moneys required for carrying it on. The Archbishop replied by a sermon and a circular ; the King published a replication, setting forth his charges against Stratford still more copiously and virulently. The Archbishop rejoined in another elaborate circular of justification. The King closed the discussion by sullenly stating

The king's manifesto.

The archbishop's reply.

The king has the last word.

* Walsingham remarks that clerical ministers were now turned out, and lay statesmen appointed in their places. Sir Robert Bourchier, to whom the Great Seal was now given, was the first lay Chancellor of England.

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that he meant to prove all his charges, but that he should do so at his own good season.

Parliament meets at Westminster, April, 1341.

A Parliament was summoned at Westminster in April, 1341, at which the Archbishop presented himself, but was refused admission by Edward's orders. The controversy between them was now renewed in a new form; but the peers, both lay and spiritual, listened with favour to the claim which the Archbishop put forward and never swerved from, that he as a peer should be tried by his peers, according to the Great Charter. A statute was passed in this session establishing this right. It does not purport to have been passed by reason of Archbishop Stratford's claim, but it was evidently caused by it.*

The King vainly endeavours to exclude the archbishop.

Principle solemnly established that a peer is to be tried by his peers.

The King appears to have been altogether in the wrong in his quarrel with the Primate; and he had either the prudence or the good feeling to own this publicly, and to desist from a struggle which was bringing him into discredit, and creating disaffection to him among his important subjects. On the 3rd of May, King Edward before his full Parliament declared the Archbishop to be free from all the charges made against him. Stratford was replaced in the council, and became again one of the King's trusted ministers.

The king gives way.

Stratford is publicly declared free from guilt, and is restored to favour.

The parliamentary proceedings of this period may generally be most conveniently spoken of when we address ourselves to the consideration of the constitutional history of this reign. But one most discreditable act of the King ought to be noticed here, as it gives us a useful warning not to attach much faith to Edward's assertions in his state manifestoes, unless they are corroborated by other evidence, or by intrinsic

Duplicity of Edward towards his parliament and people.

* 15 Ed. 3, c. 2.

probability. Before the Parliament would grant Edward the subsidies which he needed, they required the redress of certain specified grievances. The King professed to assent to this; and the petitions for redress were drawn up in the form of a statute. But when Edward had obtained the money, he issued a proclamation (copies of which were sent to the sheriffs of all the counties), in which he stated that in consequence of the obstinacy of the Parliament in refusing to take due measures for the necessities of the state unless certain illegal and pernicious articles were agreed to, he the King had dissembled (as was fit for him to do),* and made a pretence of passing and granting those articles as a statute; but that he now decreed that statute to be a nullity, so far as it went beyond former statutes. Two years afterwards Edward obtained from a new Parliament a repeal (legal in form, but cautiously and vaguely worded) of the obnoxious statute. The repealing statute excepts from repeal and re-enacts such articles of the repealed statute as are in conformity with law and reason.

Truces and negociations with the French.

Truces and ineffectual negociations for a permanent peace with France were continued for four years more. There were also some truces with the Scots; but open war between them and the English broke out much sooner than the renewal of the war with France. The result of the desultory hostilities between the Scots and the English, after Edward's victory at Halidon Hill, had been much in favour of the Scots; and the English lost all their conquests in the northern kingdom except a few fortresses. At the close of the year 1341, Edward went in person to Newcastle-on-Tyne to take command of an army; but a truce was then

Advantages gained by the Scots.

* "Dissimulavimus sicut oportuit."—Rymer, vol. ii. part iv. p. 112.

† Rot. Parl. vol. ii. p. 139.

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made, which was renewed and prolonged for several years.

1341-1345. Disputes as to the succession to the dukedom of Brittany.

The probabilities of a solid peace with the King of France being effected was very much diminished by a new source of dispute between Edward and Philippe, which broke out in consequence of the death of John, the third Duke of Brittany, in 1341. The right of succession to the duchy was claimed by John de Montfort and Charles de Blois. King Philippe gave a decision on the subject in favour of Charles; and thereupon De Montfort went to England, and secured the help of Edward, on condition of acknowledging him as King of France. The Countess de Montfort maintained her husband's cause there against the superior forces of his rival and of Charles' French auxiliaries with heroic courage, after De Montfort himself had, on his return to Brittany, been defeated and taken prisoner. A small body of English troops under the gallant Sir Walter Manny was sent to Brittany, and gave valuable aid to the De Montfort party. Late in 1342, Edward himself led an army into Brittany, but the campaign there had no result of any importance.

English forces in Brittany.

Further truce, in January, 1343.

Harassing state of nominal truce, but need of constant readiness for war.

The parliament require that there should be either peace in earnest, or war in earnest.

In January, 1343, there was a fresh truce. More negociations for peace followed; but it was necessary for the English government to keep up preparations for warfare, and the coasts were repeatedly attacked by French cruisers and squadrons. The English people and Parliament grew naturally indignant, and weary of this state of things; and the Parliament wisely addressed the King, urging him either to make a firm peace on proper terms, or to carry on the war in earnest. This last course was finally taken; and in 1345 an English fleet and army sailed to Bayonne under the Earl of Derby, who gained many

important advantages over King Philippe's partizans in the south of France.

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In the July of the following year Edward led in person a still more numerous army, consisting solely of his own subjects, to a renewed invasion of the north of France; but he, on this occasion, instead of landing in Flanders and marching into the eastern provinces of the kingdom, sailed from Southampton direct to the coasts of Normandy, and landed on the 12th of July at La Hogue.

War renewed in 1345.

Successful expedition under the Earl of Derby to the south of France.

July, 1346, King Edward leads a fleet and army to Normandy.

July 12. Landing at La Hogue.

The force, with which Edward commenced his victorious campaign of this year, is not precisely stated. Froissart says that there might be in it 4000 men-at-arms and 10,000 archers, besides Irish and Welsh foot-soldiers. But it is uncertain whether Froissart means that all the English cavalry made up about the number of 4000, or whether he speaks of the heavy cavalry only as 4000 men-at-arms, not taking count of the hobelers or light-armed horsemen. The latter is most probably the case; and if it be so, we must make a large addition for light cavalry. According to the opinions of writers of great authority on such subjects, we should further reckon a large number of infantry on the English side, besides the archers, and the Welsh and the Irish, whom Froissart mentions. Every knight and every esquire had at least one personal attendant, and these "coustillers," or "pages," or "serjeants," as they are variously termed, are supposed, besides ministering to their masters, to have done duty as light-armed infantry in time of action. Regard is also to be had to the very large number of the ships, that were employed to convey and escort this army from Southampton to the opposite side of the Channel. Some old writers state the fleet to have amounted to 1600 sail; none reckon it at less than

Number of King Edward's forces.

Uncertainty of the calculation.

Fighting attendants of the men-at-arms.

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1100. Altogether, without attempting precision of judgment, where our evidence is so vague, I should estimate King Edward's troops of all arms, that were landed on the Norman coast in 1346, as between 30,000 and 40,000 ; the flower and pith of the whole army undoubtedly consisting of the 4000 men-at-arms and the 10,000 archers.*

Probable grand total between 30,000 and 40,000.

4000 men-at-arms and 10,000 archers the pith and core of the force.

This is "The Army of Cressy."

We now are almost on the eve of the battle of Cressy, a word that even after the lapse of five centuries stirs English blood like a trumpet blast ; however austerely we may censure the war in which that battle was fought and won. The desire to have placed before the mind's eye some image of what manner of men they were who achieved that victory is irresistible ; nor is it to be satisfied by mere arithmetic as to knights, hobelers, archers, serjeants, and the like. Perhaps something may be done to realize it, if we first pause to examine what were the means of collecting and supporting a military force, which an English king in those ages possessed, and from what classes of society the various descriptions of soldiery were supplied.

Desire to have a living ideal of what manner of men the English were who fought at Cressy.

Out of what materials were the armies of England then supplied?

Every free Englishman was required by the English law to have arms, such as his estate enabled him to provide, and to bear those arms in defence of the realm and the public peace, when summoned so to do

Every free Englishman required by

* I have made much use of a learned appendix by Dr. Meyrick to Sir Harris Nicolas's History of the Battle of Agincourt (p. 45), which gives valuable information as to the armies of Edward III., as well as to those of Henry V. But I do not feel so certain as that learned writer seems to be, that *all* the attendants on the knights and squires were fighting-men, as well as serving-men. Nor does it seem to me clear that when a knight contracted with the king to bring to the campaign so many, say six, horses, it meant that he was to provide five mounted soldiers besides himself. I should think that some of the horses were intended for spare horses, or for re-mounts. The immense weight of the men-in-armour, whom the chargers had to carry, must have made sore backs very common.

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English law to have arms, and to bear arms in defence of England.

by the king or the king's proper officers. In this, as in so many other constitutional matters, the provident and patriotic genius of Edward I. had carefully ordained and defined the rights and duties of the sovereign and his people. We have already* noted this great king's Statute of Winchester, which commands that every man between 15 and 60 years of age should be assessed, and should be sworn to have armour in his house according to the amount of his lands and goods. Those of even the lowest rate in wealth were ordered to have bows and arrows, with which they were to be supplied from the royal forests. View of armour was to be made twice a year, in any hundred and franchise by the constables; and by a statute passed in the second year of Edward III.'s reign the king's justices received power to punish summarily those who made default in these matters.

Edward I.'s statute of Winchester.

The English nation a nation of armed freemen.

Limited right of the king to call them into action.

Still, the "true men" of each shire had practice in the use, as well as the possession of arms.

The king thus had a nation of armed men at his command; but it was only for the preservation of the peace against domestic malefactors or rebels, or in case of actual or menaced invasion from abroad, that their services were lawfully available. But even for these purposes the frequent turbulence of those ages called the "good and lawful men" of each shire often to the use of their weapons; and thus our kings had in those ages under them, not only a nation of men with arms, but a nation of men who knew how to use their arms, and who had skill as well as spirit for actual warfare.†

Besides the right of thus calling forth in arms the whole population of a shire, or of the whole kingdom, in

* See vol. i. p. 462.

† See the observations of Sir Francis Palgrave in the 3rd volume of the History of Normandy and England, p. 611.

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The feudal array.

times of local or of general danger, our kings, as feudal heads of all the landowners of the kingdom, could summon to the field the nobility and the gentry, that is to say, all who held lands of the crown by military tenure. The baronial and knightly possessors of large domains were bound, not only to serve in person, but to bring with them a specified number of mounted men-at-arms, according to the value of their estates. There is reason to mistrust the common statements as to the number of knights' fees in England, but the number was certainly considerable. But this feudal array was bound to serve the king for forty days only. During this period they were entitled to no pay from him; but at the end of the forty days he must have retained them, if at all, by purchasing their services.

Limited time of feudal military service.

Probable limitation of the king's right as to place of service.

The king claimed the right to lead his feudal vassals to any of his wars, within the realm of England or in Scotland, or in Flanders, or in France. But the liability of the crown vassals to serve in parts beyond the seas was not undisputed; and even when such service was rendered, an army, which had a right to disband itself at the end of forty days after the first muster of its respective bands under the king's standard, could be of little value in a foreign campaign. Our kings felt the necessity of having under their command on such occasions bodies of hired men, whose services were engaged beforehand, at rates of pay agreed on between the sovereign and the soldiers. The soldiers hired themselves out to the king as their employer in the war. Sometimes the contract was made for a definite number of weeks or months; sometimes it was a bargain of hiring and service for the purposes of some specific military expedition or operation. The usual course was for indentures to be drawn up and executed between the king on one side,

Need of a more permanent force.

Such a force necessarily a hired one.

Military indentures between the

and individual noblemen or knights of influence and martial renown on the other. These indentures provided that the covenanting subject should serve the king in his war with so many men-at-arms, so many hobelers (or light cavalry), and so many archers, for wages, which were generally paid in advance. The nobleman or knight, who entered into such a contract with the king for the supply of a considerable force, frequently made sub-contracts of a similar kind with others, for the supply to him of small companies, out of which his main force was to be formed. The rate of wages was very high. The daily pay of an archer equalled in value at least five shillings of our money at the present time. A light-horseman received thrice this amount. An esquire had four times as much as an archer. A knight's pay equalled two pounds a day in the value of modern money, and the pay of a baron was at the rate of what now would be reckoned at nearly fifteen hundred pounds a year.*

King and the principal contractors.

Sub-contracts for small supplies.

High rate of wages.

The greater part of the royal armies was thus composed of paid soldiers, who had voluntarily entered into engagements to serve the king. But the prerogative of impressment was also largely employed for the land as well as for the sea service. It was not, however, endured without murmurings and remonstrances; and the king was always obliged to pay wages to his pressed men. Impressment was still more

The king's press still used.

* There is great fluctuation in the rates of pay in Edward III.'s time. Probably this may have been partly caused by the tamperings with the currency, and the often-recurring seasons of dearth. The issue-roll of 44 Ed. 3 (cited in Nicolas, vol. ii. p 177, n.) shows that the wages of the king's seamen were raised in that year by a fourth on account of the dearness of provisions. I have followed in the text the scale of wages which the Roll of Calais shows to have been paid to Edward's forces in France in the 20th year of his reign.

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used to obtain supplies of artificers—such as masons, smiths, tent-makers, and the like—than to add actual combatants to the ranks. The wages paid to the mechanics of the army varied greatly in amount, doubtless according to their respective degrees of skill and utility. None received less than an archer's pay, and some obtained more than seven times that amount.

The non-combatants, the artisans of the army, how raised and paid.

Plunder as well as pay.

Besides the king's pay, which the king's forces received, the hope of plunder was a strong incentive to many to join an expedition into a country that was to be treated as hostile, under a commander whose military renown gave his followers fair promise of victory. The ransom of highborn and wealthy captives formed in those days the most lucrative part of the spoils of war. By an arrangement between the king and his subjects in the army, every prisoner whose ransom was estimated below a certain specified amount belonged to the soldier who captured him; but prisoners of a higher degree were to be made over to the king on his paying a definite sum to the actual captor for his prize.*

Ransom.

Equipment of the knights and men-at-arms.

The knights and men-at-arms formed by far the most brilliant portion of the armies, which our kings in those ages drew together by the methods and inducements that have been described. Armour had been greatly improved in the 14th century, so far as regarded the protection given by it to the bearer. Plate armour almost entirely superseded the old defences made from iron rings sewn one after the other on a leathern or linen lining. Knights and men-

Plate armour.

* Many modern sneerers at chivalry represent the courage of the warriors of those days as entirely arising from their appetite for ransom-money. It would be about as just to represent the courage of the officers and men of the modern British navy as entirely arising from an appetite for prize-money.

at-arms of every kind now took the field sheathed in complete steel from head to foot. A tunic or jupon, as it was termed, richly emblazoned, was worn over the body-armour; and round this was the military girdle, which also was elaborately ornamented. The warrior's weapons for attack were the long lance, the sword and dagger, in addition to which a heavy mace was often slung at the saddle-bow. The war-horse had a housing of chain-mail draped over with a rich cloth, on which the heraldic ensigns of the rider were displayed.

Weapons for attack.

A force of cavalry of this description, when the horses were fresh and vigorous, and when the ground presented no obstacles natural or artificial to a charge at full speed, was irresistible except by a force similarly equipped. But when such horsemen had to act on broken ground, their movements must have been slow and disordered; and if also the horses were jaded, a charge by heavy cavalry must have been almost contemptible. The commanders of this age were beginning to recognise the general superiority of well-armed infantry over cavalry; and we find repeated instances of the knights and men-at-arms dismounting, and fighting in a compact phalanx on foot. But it was usual in such cases to keep some part of the force in the saddle to act as cavalry: and the skill of employing the two arms in due proportion and on fit occasions, and of supporting and following up the action of both heavy-armed infantry and heavy-armed cavalry, by the combined movements of light troops, was no slight element of the generalship, for which Edward III. and his illustrious son the Black Prince, and in the next century Henry V., were justly renowned throughout Christendom.

Such heavy armed cavalry only formidable in direct charge over level ground.

Practice of knights dismounting and acting as a body of heavy-armed spearmen.

France, Flanders, Germany, Italy, Scotland, and

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Knights and men-at-arms supplied by other lands.

Archers English only.

Spain, besides England, could send forth knights and men-at-arms in brilliant panoplies and with gallant hearts to the battle-field; and, wherever there was a populace or a peasantry, bands of imperfectly armed irregular troops or camp-followers could be huddled together beneath a sovereign's banner. But England supplied a force in those ages, to which other nations had nothing equivalent, and nothing similar. These were the English archers,* "England's peculiar and appropriate sons," the prime of her rural middle class, of a class that was numerous and flourishing here at a time, when in other countries there was no intermediate population (save in the chartered towns) between the noblesse and an abject mass of poverty and serfdom.

The agricultural middle-classes in England.

We have already had occasion to notice with admiration and gratitude the distinguishing characteristics of our early institutions, which secured an equality of civil rights to all commoners, and which favoured the maintenance and growth even in the worst Anglo-

* Many foreign as well as English modern writers, Barante, Michelet, Mackintosh, Macaulay, and others, have pointed out the extent to which the English victories in the 14th and 15th centuries were due to our archery; and they have noticed also the fact that the class whence the archers were supplied was peculiar to England. I believe that Sir Walter Scott was the first to observe this; and the panegyric is as true as graphic, which, in his drama of Halidon Hill, he makes one of the characters pronounce on—

"These gallant yeomen,—
England's peculiar and appropriate sons,
Known in no other land. Each boasts his hearth
And field as free as the best lord his barony,
Owing subjection to no human vassalage,
Save to their king and law. Hence are they resolute,
Leading the van on every day of battle,
As men who know the blessings they defend.
Hence are they frank and generous in peace,
As men who have their portion in its plenty.
No other kingdom shows such worth and happiness
Veiled in such low estate."

Norman times of a numerous class of small landowners, each of whom held his little patrimony by free though not by military tenure, and each of whom had important constitutional functions confided to him in peace as an elector and as a juror.* These are the original yeomanry of England; though as the practice grew up of free commoners taking and cultivating land on lease, the term "yeoman" was applied to this class of agriculturists also.†

The English yeomanry.

In the habitual arming and training of the whole free population, which was enforced by our old laws, the bow became the favourite and characteristic weapon of the English yeomanry. And, as the value of our archer-force in warfare was made more and more manifest by its actual efficiency on the battle-field, our statesmen directed their more earnest attention to the constant training of the population in the use of the long-bow. The education of the English archer began at an early age. The little boy had placed in his hands a little bow suited to his strength and stature: and, as the lad grew into youth and manhood, so were the length and power increased, until he could wield with ease and certainty "the mighty bow" which in those ages was the badge and sign of an English yeoman.‡ The regular range

The yeomen adopt the bow as their favourite weapon.

Early training of the English archer.

* See vol. i. p. 323, *supra*.

† This seems to have been the case as early as Chaucer's time. The yeoman in his Canterbury Tales appears to have been a tenant of, and in some degree dependent on the knight. On the other hand, the term "yeoman" is still, or until very lately has been, applied in our jury-lists to the small landowners exclusively, while those who hold under a landlord are summoned as "farmers." I have often noticed this on the jury-panels in Sussex, and have been glad to see how many real yeomen of the original class are still to be found in southern England.

‡ See the vigorous sketch of the yeoman in the prologue to the Canterbury Tales; and above all the magnificent couplet in which Chaucer tells us of his nut-headed, brown-visaged yeoman that

"His arrows drooped not with a feather low,
And in his hand he bare a mighty bow."

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Length of range of the old English archery.

Inferiority of modern archers.

Reason of the difference.

with the long heavy war-arrow was up to four hundred yards. A slighter shaft could be sped to a greater distance. Modern archers, who have taken up the bow since they became grown men, have been tempted to doubt of the old yeoman having shot with accuracy, or having shot with any effect at all, at such ranges; which exceed by nearly four-fold anything that is now accomplished. But it is to be remembered that the old English archer was trained to his work, while his limbs had the suppleness of boyhood; and that the power then acquired of employing the whole strength of the body in the right manner, at the right moment, and in the right direction, was improved and increased every year, every month, and every week by constant and careful practice. As Bishop Latimer two centuries later said of his own education in archery: "He was taught how to draw; how to lay his body in the bow, and not to draw with mere strength of arms, as other nations do, but with strength of body." Common armour was not proof against the English archery: and, though the choice steel of the Milan artificers might repel the arrow-head from the skull or breast of the wealthy prince or baron, even the best suits of armour offered some less protected spots to the keen aim of the English yeoman, through which his "grey-goose" shaft often clove its way. When we call to mind how rapidly a skilful bowman can discharge arrow after arrow, and when we calculate how long it takes for even the best cavalry to traverse four hundred yards, we can form some idea of the loss, which the assailants of a line of English archers would sustain, and of the confusion, into which they would be thrown before they could come to close quarters. Sometimes, however, it did occur that the English archers were broken and slaughtered by an unexpected and rapid

Shooting with the strength of the whole body.

Arrows and armour.

Rapidity of discharge of arrows.

Probable loss and confusion among assailants of English archers.

Archers sometimes cut up by a sudden charge of horse.

charge of the enemy's horse. It was by an attack of this kind that Bruce mainly won the battle of Bannockburn. But if the general of an English army had any fair share of military skill, he took care to protect his archers against such an overthrow, by placing them on ground, which offered natural or artificial impediments to the advance of horse, or by supporting his lines of bowmen by bodies of heavy armed horse or foot. The English yeoman himself, when brought to such close quarters that his bow was useless, was no despicable antagonist; especially in the confusion, which soon prevailed when neither side overthrew the other at the first shock, and when the little groups of combatants along the swaying battle-lines struggled, smote, and toiled in hand-to-hand fight. His head was protected by a cap of steel; and his stout coat (the cloth of which was sometimes strengthened with rings of mail) could deaden an ordinary stroke from spear or sword. He was always provided with some effective weapon of offence, besides his implements of archery. Sometimes he used the sword; sometimes a short battle-axe, and sometimes the "brown bill," a weapon, which, though ill-adapted for fence in single fight, must have been very formidable in the thronged battle-field, especially from the ghastly nature of the wounds, which it was calculated to deal upon either man or horse.

Precautions against such a surprise.

The archer in close fight.

His defence.

His arms of offence.

"Bills and bows."

Troops also of even lighter equipment than that of the archers were largely employed in our armies of that age. Scottish wars, and Irish and Welsh insurrections had taught our commanders by dire experience how much mischief bold and active men with no armour, and little discipline save that of charging and retiring at a leader's call, can inflict with mere darts and knives upon regular troops when flounder-

The light-armed Welsh and Irish irregulars.

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Their manifold uses to a skilful general.

ing in the morass, or struggling in the pathless forest, or along the rugged mountain side. Such light-armed auxiliaries, besides giving a skilful general the means of annoying his adversaries, or of repelling the annoyance of similar assailants, were also of infinite use to him in exploring a hostile country, or bringing in provisions and forage, and also in screening and masking the strength and the movements of his regular forces. Edward III. led many thousands of his Irish and Welsh fenmen and mountaineers to the campaign of Cressy; and we shall find Henry V. employing the same description of forces with still greater effect at and after the battle of Agincourt.

Largely employed by Edward III. and Henry V.

Cannons used by the English in this campaign, but not with much effect.

Edward made some use of cannons in this campaign; but they seem to have been of little value in the field; of so little, that out of the numerous chroniclers, who have described the battle of Cressy, two only* make any mention of the English cannons, and even they do not speak of them as producing any important effect on the issue of the engagement. The cannons were employed by the English King with more advantage in besieging Calais, and also in defending his own fortified lines against the French army that advanced to raise the siege.† But the use of gunpowder was yet very little known even in siege operations. The same old military machines, which had been invented in the classical times for hurling stones and darts, were still employed by mediæval warriors. Moveable towers were constructed for the siege of strong places, as in the days of De-

Even in sieges the catapult and similar engines still in use.

* Villani, and Froissart in the version of his Chronicle which is preserved in the Amiens MS. Froissart does not mention the English cannons in the edition of his Chronicle which he published first, and which is best known.

† Jehan le Bel, vol. ii. pp. 127, 129.

metrius Poliorcetes and of Trajan: and engineers still tried to destroy a hostile wall by undermining it, or to burrow a path beneath it for the passage of an attacking party. As a general rule, the defender of a fortified place had a great superiority over the assailant; and famine and treachery were the chief enemies that the garrison of a besieged place, if brave, numerically strong, and skilfully commanded, had serious cause to fear.

General superiority of the defence over the attack in sieges.

As soon as the English army was landed and fully arrayed on the French coast, near La Hogue, in 1345, King Edward conferred the honour of knighthood, with peculiar solemnity and splendour, on his eldest son, the young Prince of Wales, and on many of the young noblemen, who had joined in the expedition.

English army arrayed near La Hogue.

King Edward confers knighthood on the Prince of Wales and other young nobles.

Prince Edward (called Edward of Woodstock, from his birth-place, until he acquired his renowned title of the Black Prince) was at this time little more than sixteen years old. But he was unusually gifted both in mind and body; and his royal father had caused him to be sedulously educated under able scholars and statesmen, while at the same time he was trained to acquire and display the highest possible vigour and dexterity in all the exercises and accomplishments of the chase, the tourney, and the field. Dignities were showered on him even in his tender years. He was made Earl of Chester at the age of three, Duke of Cornwall at the age of seven, and Prince of Wales at the age of thirteen. These high honours were accompanied by grants of ample domains and revenues. During King Edward's absence from England in the early part of the French war, the young Duke of Cornwall was repeatedly appointed Custos, the Guardian of the Realm: care being taken to assign to him a council of experienced generals and

Early biography of the Black Prince.

King Edward's care in his moral and physical education.

His early dignities and practical training in public life.

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statesmen, by whose advice he was aided in the conduct of affairs of state. As the Prince advanced from boyhood towards youth, King Edward (who was himself still a young man) followed the wise policy of so treating his son, as to make the Prince regard his father as his favourite companion and dearest friend.*

His early popularity.

Young Edward's popularity among his fellow countrymen was very great, even before he achieved the victories which have made his name a household word with English boys and English men of all generations. Much of the general favour, with which young Edward of Woodstock was regarded by his contemporaries, was justly due to the sense and spirit, which he showed at his early introduction into public life. Much more of it was probably won for him by the remarkable beauty of his aspect, the height and symmetry of his well-knit frame, his graceful demeanour, his large-handed liberality, and the splendour of his princely retinue. He was now at the commencement of his practical career in military life, and the chequered pages of military biographies show few careers of such early and well-maintained splendour.

Surprise of the French at the invasion of Normandy.

King Edward's landing in Normandy had been wholly unexpected by the French; and the English soldiery found for some time a rich and almost undefended territory in their power. They marched eastward in a line nearly parallel with the coast, accompanied by the English fleet, which seized large booty in the unfortified Norman sea-ports, and destroyed there many French vessels, and great quantities of naval stores.

Normandy the seat of the woollen trade and

The trade in wool, and the manufacture of woollen goods seem at this period to have flourished greatly

* Καὶ συννεάζων ἡδὺ παῖς νέῳ πατρί.—Eurip., *Danae. Frag.*

in the chief Norman towns. It is likely that the mercantile and trading classes of both England and Flanders regarded the Normans as their rivals. Edward, throughout his reign, showed great anxiety to secure the good will of these classes of his subjects, and of his friends; and he probably knew that the war would be regarded with additional favour by the English Parliament, if he relieved the English towns from their commercial competitors in Normandy. The contemporaneous Flemish chronicler Jehan le Bel, after sketching generally Edward's system of devastation, particularly describes how the King came before "the great town, marvellously mercantile, which is called Saint Leu,"* where there were great cloth works, and great stores of merchandize, and a great number of rich burgesses. This great town was carried at the first assault, and thoroughly ransacked and pillaged. "There lives not the man who could imagine, or who could credit, if he were told, the wealth that was gained, and plundered there, or the great quantity of cloths that were found there."† Many of the rich burgesses were made prisoners, and sent to England to make them pay ransom. Jehan le Bel proceeds to say,‡ "When the King Edward had had his will of the good town of Saint Leu, he left it, to proceed to the richest town in Normandy (except the city of Rouen) called Caen: full of great riches, of wealthy burgesses, and noble ladies, of two rich abbeys, and of merchandize of every description." The King of France had sent some troops to aid the inhabitants of Caen, who had been themselves boastful and defiant

manufactures rivalling those of England and Flanders.

Edward destroys nearly all the chief commercial Norman towns.

Wealth of St. Lo.

Its trade and woollen factories.

It is sacked by the English.

Caen is taken.

* "La grosse ville, et marchande merveilleusement; qu' on appelle 'Saint Leu.'"—Jehan le Bel, vol. ii. p. 70.

† *Ibid.*, p. 71.

‡ *Ibid.*, p. 71.

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Its great wealth.

with regard to the English, and went out to meet them in the field; but they were instantly defeated, and the town was stormed. The amount of booty taken was very great, and the amount of property destroyed was greater still.* The English are said to have been peculiarly exasperated against the people of Caen, by finding there a copy of a compact, which the Normans had made with King Philippe at the beginning of the war, by which they undertook to invade and conquer England at their own cost, and were to have the plunder of the country as their reward.†

The English remained in Caen three days, and the booty which had been taken—the cloths, the jewels, the gold and silver plate, and other riches—were sent down to the coast, and placed on board Edward's fleet, and conveyed to England.‡ Many also of the burgesses of Caen, and a great crowd of knights who had been taken prisoners in the town, were sent into England, to be kept in prison until they were ransomed. The old chronicler asserts that the "Noble King" gained money enough by this to repay him for all his cost in this adventure, and also for the sums which he had voluntarily given to his people.§

Louviers sacked by the English.

The English next marched against Louviers. This city shared the fate of Saint Lo and Caen. It appears to have been still more important than either of them as a seat of the woollen trade, and for its cloth works.‖

Rouen menaced,

The invaders next approached Rouen; but time had now been given to the French to improve the

* Jehan le Bel, vol. i. p. 72.

† Avesbury, p. 130.

‡ Froissart, p. cclxxxii.

§ Jehan le Bel, vol. ii. p. 74.

‖ Jehan le Bel describes it as "une grosse ville, qu'on clame Louviers, là où on fait la plus grande draperie qui soit en France."—Vol. ii. p. 7.

defences of that naturally strong city, and to collect a numerous garrison within the walls. Edward passed it unattacked on his left, and advanced full upon Paris. His great object was to bring the French King to a pitched battle: but he also by thus menacing his adversary's capital effected the important purpose of drawing away a great part of Philippe's troops from southern France, where they had been pressing hard upon the small English army under the Earl of Derby. King Edward, with the main English force, marched on as far as Poissy, within two leagues of Paris. But he found the roads broken up, the bridges destroyed; and he received certain intelligence that King Philippe was near him with the full force of the French kingdom. An attack on the French capital under such circumstances was too hazardous; and a safe retreat appeared almost equally difficult. Edward's line of march had been along the western side of the Seine; and the country, which had been wasted by the English army during its advance, could no more furnish him with adequate supplies for any considerable number of troops. Edward sought, therefore, to gain the other bank of the river, from which Philippe endeavoured to bar him by destroying the bridges, and guarding every place where a passage seemed to be at all practicable. By a rapid march and countermarch Edward, on the 15th of August, succeeded in drawing away the French main force from the right bank of the Seine at Poissy, and in repairing the bridge at that place before the enemy's return, so as to enable him to move his army and stores across the river. He now marched in a north-easterly direction, towards the friendly territories of northern Flanders, having to sustain severe skirmishes in almost every march. Several messages of defiance were interchanged be-

but untouched.

Edward's advance upon Paris.

His motives.

He marches within two leagues of Paris.

Paris unassailable.

Difficulties of Edward's position.

Edward moves to the east of the Seine.

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tween the two kings; but though King Philippe professed the greatest eagerness for battle, he saw that his best policy was to avoid a general action, and to harass the invaders by petty conflicts, whenever the nature of the ground gave the French an advantage. This prudent system was followed for a considerable time; and when Edward reached Airaines, in Picardy, he found himself in a position of great peril. His army was now between the Seine and the Somme; and the enemy was vigilantly guarding every ford. If he continued to move forward between these rivers, a strip of sea coast lay before him, on which there was no port which he could hope to occupy and hold, until a fleet could be summoned from England to rescue his troops. Behind him was the huge French host, refusing battle, but increasing daily in numbers and strength, and ready to crush the English remnant, when famine and disease should first have done their deadly work. At last, by offering large bribes to his prisoners, Edward ascertained the existence of a ford near the village of Pont, where no French troops were posted; the river being very seldom crossed at that spot, and few persons being even aware that a passage there was possible. Thither Edward eagerly led his army by a night-march; but, when they reached the spot, the tide was up; and, as the ford was practicable at low water only, they were compelled to halt during several hours of lingering anxiety. As day dawned over the ebbing water, the English saw that the river had fallen low enough for the heavy cavalry to wade through it, but they also beheld the unwelcome spectacle of a large detachment of the French, who were hastening along the eastern bank. There was no time for hesitation. The approaching force was 12,000 strong, and led by

Policy of the French.

Edward in extreme peril between the Seine and the Somme.

Edward passes the Somme.

Godemar du Fay, one of Philippe's best captains; still larger forces of the French were likely to be moving up to support it; and there was imminent risk that Philippe with his main army might come up along the western side of the river, and fall upon the rear of the English army while separated during the passage. Edward ranged his best archers on the left bank, and bade them ply their arrows on the opposite enemy, so as to cover in some degree the charge of their comrades. Then, forming his mounted knights and men-at-arms, Edward raised the shout, which he made the English battle-cry,* "God and St. George!" Then calling aloud, "Let all who love me follow me," he spurred his horse down into the river. The English chivalry dashed in with him; but they were encountered with equal spirit by Godemar and his French knights, who, instead of waiting on the right bank to receive their assault, rode forward into the river from their side, and met the English hand to hand in mid-channel. A desperate but short encounter followed. The English smote down or beat back their bold opponents. The right bank was gained; and, before the tide had again risen, King Edward, with his whole army and stores, was across the dreaded barrier of the Somme.

A few more rapid marches would now have brought Edward within the Flemish frontier without further risk. But he wished for victory even more than for security; and he determined to halt at the first favourable position, and to receive the battle, which he trusted King Philippe, incensed at being out-ma-

* The installation of St. George as the peculiar patron Saint of England, dates from Edward III.'s reign. This subject will be again referred to when we come to the institution of the Knights of the Garter.

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He halts to offer battle.

nœuvred, and at the havoc made by the English in the heart of France, would at last surely offer. Edward chose for this purpose the rising ground at the back of the village of Cressy. "Here," he said, to his barons, "here let us post ourselves; for we will not go further, until we have looked our enemy in the face."

Advantages of the position of Cressy.

The position taken by Edward at Cressy showed great skill on the part of the English King, especially with reference to the numerical superiority of the forces by which he expected to be attacked; and with reference to the effective employment of his own archers. He arranged his troops along the rising slopes to the north and the north-east of the village. Philippe and the French army were coming on against him from the south, through Abbeville. The ground to the west and south-west of Cressy is low and marshy; and it was hardly possible for heavily armed troops to advance through it against the English right flank or rear. The probable line of the French attack was along the east and south-east of the English position. Edward stationed his troops accordingly, so as best to encounter assailants coming in that direction. The central part of the high ground, which the English held, rises from the low ground over which the French had to move, not in a continuous slope, but in a succession of little terraces. On these Edward placed large numbers of his archers; who thus stood, as it were, tier upon tier, and were able to concentrate and multiply their volleys down on an advancing enemy. The English centre was thus formidably strong; and their right wing rested on the hamlet of Cressy, which Edward occupied with a strong force of dismounted men-at-arms. But the left of the English position was more easily accessible; and was liable to

Edward's skill in posting his troops.

be turned by an enemy advancing with superior numbers. Edward, therefore, fortified this part of his position with a strong barrier of waggons and palisades. When these arrangements were completed, the army rested for the night, in calm expectation of the battle, which was regarded as sure to come with the coming day.

Eagerness of the French for battle.

As Edward had guessed, the fiery valour, which is a national characteristic of the French, their anger at the ignominies and injuries which their country had sustained from Edward's army, together with their confidence in the number and equipment of the splendid force which Philippe had assembled, made every one in the French camp, from the highest to the lowest, indignant at the idea of the insulting invaders being suffered to depart from France at their ease, unscathed and unfought withal. The army of King Philippe was indeed a noble one, and seemed capable of crushing the English at a blow. In number it is said to have amounted to 120,000 fighting men; and though little reliance can be placed on the precise figures given by the chroniclers, it is certain that the French at Cressy outnumbered the English by three, if not by four, to one. Besides his own subjects, Philippe had collected beneath his banner many foreign princes and nobles with their followers; and he had obtained from Genoa a large body of cross-bow-men (reckoned variously at from six to fifteen thousand), who were expected to compete with and to quell the archers on the English side. These were in the van of Philippe's army. Next to them marched Philippe's brother, the Count d'Alençon, with a large body of magnificent cavalry. The rest of the French army followed, in two (or according to other writers) in three divisions. The French began their march from Abbeville at day-

Their numerical superiority.

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They march from Abbeville to the attack.

break, on the 25th of August, 1346; but it was long past noon before they came in front of the English; and the strength of Edward's position was then so evident to them, that Philippe consented to follow the advice of one of his veteran knights, and to rest for the evening, rather than begin the attack with troops fatigued and disordered by their day's march. Orders were accordingly sent forward to stop the march of the Genoese and of D'Alençon's division. But the French lords, who first heard the order, were unwilling to be the first to wheel back, and would not even halt, unless those in front set them the example. Those in front refused to turn, for they thought that it would be a shame. Meanwhile their comrades kept pressing forward: "Thus riding on through pride and emulation, without order, getting one before the other, they rode till they saw the English, who were waiting for them, ranged very ably in three battalions." *

Their insubordination and confusion.

Order of the English.

On the English side perfect order and steadiness were maintained. Edward had drawn up his array in three lines or divisions, the foremost of which was under the immediate command of the young Prince of Wales, assisted by the Earls of Warwick and Oxford. This division is said to have consisted of 800 dismounted men-at-arms, 4000 archers, and 6000 of the Welsh and Irish irregular foot. The second line is said to have been formed of 800 men-at-arms on foot, and 1200 archers, under the Earl of Northampton. The number of irregular infantry, if any, in this part of the English army, is not stated. The

* Jehan le Bel, vol. ii. p. 88. He tells us that he wrote his narrative, keeping closely to the truth, according to what he heard from the lips of his friend, the Seigneur de Haynau, and from ten or twelve knights who were in the thick of the battle with the valiant and noble King of Bohemia, who had their horses killed under them; and according to what he also heard from several English and German knights who were on the other side.

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Edward encourages his men.

third line, a reserve, was under the King himself.* When the English troops had taken up their respective stations, as appointed on the previous day, Edward mounted a small palfry, and rode through the ranks, speaking to his men in such an encouraging manner, and bearing himself such a cheerful aspect, that (in Jehan le Bel's words), "A coward would have become brave at it." He adds that all Edward's men both loved and revered him.

When the King had thus reviewed and encouraged his men, as no enemy was yet in sight, he ordered them to take a good meal, and also, that each one should refresh himself with a cup of wine. After this jocund but most sensible order had been blithely obeyed, the English returned each man to his post, and, sitting down on the ground with their weapons well ordered and within reach, they composedly awaited the enemy's approach. When at length the French columns came in sight, the Englishmen sprang up eagerly from their rest; weapons were grasped and brandished; cries of exultation and defiance were raised, and many moved forward as if to anticipate the foe's attack. King Edward and his generals promptly checked the incipient confusion. "Steady, men, steady. There must be no noise, no tumult."

* It is impossible to adopt implicitly any one of the varying accounts of the numbers of the English troops in each division. I have already given my reason for assuming that the army with which Edward began the campaign in France was between 30,000 and 40,000 strong. It seems reasonable also to assume that during six weeks of active marching, besieging, and skirmishing in a hostile territory, the number of effective combatants must have been reduced by at least a seventh; and we know that Edward's army received no reinforcements. Probably, therefore, the number of English, Welsh, and Irish that fought at Cressy was little more than 30,000 strong; and it seems natural to suppose that each of the first and second lines comprised more than a third of the aggregate amount of the force. The main fact that the English were far out-numbered by the French is indisputable and undisputed.

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Growing confusion of the French army.

The command was promptly obeyed, and the English soldiers, in grim silence and perfect order again waited for the assailants to come on. On the other side confusion prevailed more and more as the vast and varied host pressed forward. The commanders of the Genoese cross-bow-men warned the French generals that their men were unfit for immediate action, being wearied by their march, and also because the strings of their cross-bows had been wetted and weakened by some showers of rain that had fallen. In answer to these remonstrances the Genoese were roughly ordered to advance instantly and begin the fight. They moved on towards the English, "making great leaps and shouting horribly," while the English stood in perfect silence, but with arrows fitted on the bow-strings, and ready to reply more effectively than with words.*

Attack of the Genoese cross-bow-men.

At last, the Genoese when they thought themselves within range, halted and let fly a volley of bolts, which the weakened state of their cross-bows made harmless and ineffective.

Repulsed by the English archers.

Then the English archers moved one step forward, and drawing their arrows to the ear, and well home, sent them so truly and so strongly among the Genoese, that hundreds of these unhappy mercenaries were slaughtered at the first discharge, and the survivors shrank back from the continuance of such an unequal contest.

King Philippe orders his own cross-bow-men to be cut down by his men-at-arms.

King Philippe beheld the repulse of the Genoese with savage indignation. "Kill me these rascals!" he exclaimed to his French men-at-arms. "Kill these rascals, who only take our pay, and desert us in time of need." The French pressed on, cutting down the retreating

* It was at this time that, according to Froissart, in his version preserved in the Amiens MS., the English fired off some cannons to frighten the Genoese :—"Descliquierent aucuns kanons, qu'il avoient en la bataille, pour esbahir les Genevois."

Genoese, and striving to hew a way through them so as to get at the English line, whence the deadly shower of arrows continued to pour down with fatal precision and effect.* While the confused mass of French and Genoese, of horse and foot, wallowed and writhed, and strove, and bled alike beneath each other's weapons and the English arrows, Edward's light-armed Welsh and Irish irregulars ran down among them with their long knives, and stabbed the fallen and the wounded without mercy. But still fresh thousands of the French men-at-arms pressed forward, and at last D'Alençon, with a large body of the French chivalry, made his way up to the English ranks. Prince Edward advanced with his men-at-arms to support his archers; and a desperate encounter followed, in which the English, though having the vantage of the ground, and coming perfectly fresh and in perfect order into action, still had extreme difficulty in bearing up against the constantly increasing numbers, by which their scanty ranks were furiously and incessantly assailed. D'Alençon led his men on with the true gallantry of a French noble; and he was rivalled by the Count of Ponthieu, the Duke of Lorraine, the Count of Flanders, and the Count of Blois. All these noblemen fell in the battle. The Count of Blois, whose age was nearly the same as that of the Prince of Wales, had fought his way up to the English standard, and was killed at the foot of

Carnage dealt by the English archers, and the Welsh and Irish irregulars.

D'Alençon's attack.

Met by the Prince of Wales.

Gallantry of the French nobles.

* Jehan le Bel describes very graphically the disorder into which the English archers threw the French cavalry, and especially the effects of the arrow wounds on the horses:—

"Les Archiers tiroient si merveilleusement que ceulx à cheval sentans ces flesches barbelées qui faisoient merveilles, l'ung ne vouloit avant aler, l'aultre sailloit contrement si comme arragié, l'aultre regimboit hydeusement, l'aultre retournoit le cul par devers les enemis, malgré son maistre, pour les saiettes qu'il sentoit, et les aultres se laissoient cheoir car ilz ne le poyoient amender."

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it by Prince Edward himself. D'Alençon died in an attempt made by him to break in upon the left of the English position, after he had failed in his efforts to force the centre. The entrenchments and barricades, by which King Edward had guarded this weak part of his position, saved the English army from this well-judged attack. The English archers posted there kept up a fatal and well-sustained discharge of arrows. Many more of the French nobles and knights perished there with D'Alençon; and the attack of the first French division on the English left, as well as their attack on the centre, was completely repulsed.

Vain attempt of the French to break in on the English left flank.

Defeat of the first French division.

The loss of the Prince of Wales's men in this contest had been trifling in comparison with the carnage of the enemy. But still the English were exhausted and weakened by the severity of the struggle, when they found themselves suddenly required to grapple with a large mass of the German men-at-arms in Philippe's service, who had now gained the English front, and assailed the Prince and his little band with the utmost violence. The second division of the English army, under the Earls of Northampton and Arundel, now advanced to support the Prince; and a hand-to-hand battle was for some time maintained with the greatest obstinacy on both sides. Even after the junction of the first and second divisions, the English were far out-numbered by their assailants, and the Earl of Warwick, who believed that other bodies of King Philippe's army were coming up to join in the attack, sent a message to King Edward, to request reinforcements. The King was watching the battle from a windmill in the rear of the English position. The messenger (whom the chronicler calls "Sir Thomas") rode up to him, and

Philippe's German men-at-arms charge the prince.

The English second division supports the prince.

Obstinacy of the struggle.

The Earl of Warwick sends to King Edward for reinforcements.

(as the scene is described by the old chronicler, who must have conversed with those who took part in the battle) he addressed the King very urgently, saying,

"Sir, the Earl of Warwick, the Earl of Oxford, Sir John Chandos, and Sir Reginald Cobham, are so fiercely fought withal, and so hard put to it by the French, that they are in much danger; wherefore they desire that you would please to set forward to their aid, for they are now disputing with the main strength of the enemy; so that if any more troops should break through upon them, both they and the Prince, your son, would go nigh to miscarry."

"Well," said the King; "is my son dead, or wounded, or felled to the ground? for I see the French standards drop, and conclude no otherwise but that things are yet in good case."

"No, Sir," replied Sir Thomas; "thanks be to God, our Prince is yet well, but he begins to want some assistance."

King Edward refuses to mar the prince's victory by interference.

"Go you back," said the King, "and bid them that sent you, to take care to trouble me no further while my son is alive; but let him take care to win his spurs, and to deserve the honour of knighthood, which I so lately conferred upon him, for I am resolved, by the grace of God, that the renown of this glorious day shall fall to his portion, and to those that are with him."

Increasing disorder of the French.

It would seem that King Edward from his watch-post had observed more accurately than the combatants in the front rank the growing disorder and dispersion of the French main army. King Philippe had striven hard to force his way up to where the hand-to-hand fight was being waged. The ground was almost impassable, and the English archers raked his columns

King Philippe tries in vain to advance.

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through and through. Philippe's horse was killed under him by an arrow; and he himself received a wound from another shaft. The German and French men-at-arms, who had fought so long and hard with the English first and second divisions, were at last crushed or beaten back by the indomitable courage of the island warriors; and the whole French force was in utter rout.

The prince is victorious.

Flight of King Philippe.

King Philippe, after remaining on the field till all hope was lost, turned at last, and made his escape with a few knights and barons round him. Midnight had closed, when the French King, wounded and weary, drew bridle before the friendly castle of La Broye. At his summons the lord of the castle came to the battlements, and demanded who it was that asked admittance at such an hour. "Open the gate," cried King Philippe, "it is the fortune of France." The castellan knew the King's voice, and came down, and opened the gate, and lowered the draw-bridge. When the King entered the castle he had only five nobles with him. After a brief halt and refreshment, they hurried on to Amiens, where some of the scattered wrecks of the beaten army were afterwards collected.

Chivalrous death of the King of Bohemia.

The common sense of modern times may approve of King Philippe not throwing away an important life in ostentatious despair on a lost battlefield. The chivalry of that age admired, on the contrary, the prodigality of life displayed at Cressy by the blind King of Bohemia, who served as an auxiliary in the French army. His son Charles of Luxembourg was there also, but he fled after receiving several wounds in the second attack on the English centre. The royal veteran himself learned from those around him that the day was going hard with France: but, instead of seeking to

effect his escape, he resolved to make a heroic death end a life which had been spent in bravery and honour. "Gallant sirs," he said to those near him, "you are my comrades and my friends, as well as my vassals in this expedition. I ask one last service of you, that you will bring me forward within sword's length of these English, so that I may deal at least one good blow before I die." The knights around him readily undertook to do what he desired. They placed their blind King in the front rank in their centre, and interlaced their horses' bridles, so that they should not be parted in the charge. They then galloped forward, and succeeded in reaching the immediate spot, where the Prince of Wales was fighting. They nearly all perished; but they had all stricken manfully before they fell; and, after the battle was over, the body of the blind old hero was found amid a heap of mingled French and English dead. Our great antiquary Camden states that the crest of the Bohemian King on this day, when he was fighting as the soldier of the French sovereign, was three ostrich feathers with the motto "Ich Dien," "I serve," and that the helm of the fallen warrior was carried to the Prince Edward, who assumed the crest and motto as his own cognisance. It is certain that from his time downwards they have been so worn by successive English Princes of Wales; nor does there seem to be any sufficient reason for doubting the tradition as to the origin of this armorial usage, which Camden has recorded.

Night had fallen on the field of Cressy, before Prince Edward and those around him were sure that no more troops of the enemy remained, and that none had rallied to dispute the victory. Torches were lit, and the English leaders were careful to keep their men together. King Edward now marched down with the

King Edward meets

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and congratulates the prince.

reserve from his position in the rear, and joyfully embraced his victorious boy. "My son, my dear son," he exclaimed, "may God give you grace to go on as you have begun. You are my true son, for nobly have you acquitted yourself this day, and worthy are you of a crown." The Prince received his father's praises with modest humility, and ascribed the honour of the day to the King himself; and, certainly, without the skill shown by the King in choosing and strengthening the English position, all the Prince's valour would have been unavailing. It was reserved for the field of Poitiers to show that the Black Prince was equal to his father both as a general and as a combatant.

Slaughter of French detachments on the following day.

Heavy loss of the French at and near Cressy.

On the morrow several large bodies of French troops, who had been on the march to join King Philippe, were destroyed by the English. And there seems no reason to doubt the substantial accuracy of the report of the total loss of the French on these days, which was sent in by the officers whom Edward appointed to examine and count the slain. It amounted to eleven princes, eighty bannerets, twelve hundred knights, and thirty thousand common men. The loss on the English side was very small. Nor can we be surprised at this, when we recollect the circumstances under which the battle was fought on the first day, and under which the French detachments were cut off on the second day; and when we remember also the nature of the weapons used by the respective combatants.

On the very day after the battle of Cressy, at the very time when the victorious English were enveloping and destroying in detail the intended reinforcements of King Philippe, a victory as decisive as Cressy was gained by an English army over the Scots at Nevill's Cross in Northumberland.

The war between Scotland and England had been carried on, though but languidly on the part of the English, during Edward's campaigns in France; with the exception of a period of truce in 1342 and 1343. The general result of these hostilities was greatly in favour of the Scots, who recovered nearly all their country's fortresses from the English garrisons. The successes of the Scots would probably have been greater, had it not been for the frequent treacheries and the almost incessant feuds amongst themselves, by which their chiefs tarnished the lustre of their exploits against the common enemy.*

Progress of the war between the Scots and the English.

General success of the Scots.

Their discords, and their trachery and ferocity towards each other.

The young King of Scots, David the Second, who had been sent to France in his infancy, returned from that country to Scotland in 1341, and took the government into his own hands. He was willing to assist his friend the French King by invading the north of England, and so drawing away part at least of Edward's forces from their invasive operations in France. Accordingly, in the beginning of the autumn of 1346, he collected an army of (it is said) 3000 men-at-arms and 30,000 other troops.

King David II. returns from France to Scotland, 1341.

He invades England.

Queen Philippa was then in England; and she forthwith proceeded to Newcastle-on-Tyne to encourage the English to resistance; and she sent messengers to all the prelates and barons, and to all who could give aid, to bring their men-at-arms, their archers, and their foot to a muster-place between Northumberland and

Queen Philippa and the English nobles and prelates of the north raise troops to meet him.

* The two Scottish chiefs most renowned for valour and military skill were Sir Alexander Ramsay and Sir William Douglas, commonly called the Knight of Liddesdale. Rivalry and enmity broke out between these chiefs; and in 1342 Douglas, by a pretended reconciliation, got Ramsay into his power, and threw him into a dungeon-vault beneath the castle of Hermitage, where Ramsay was starved to death. In 1353 Sir William Douglas was himself assassinated by the chief of his own house, the Earl of Douglas, who was instigated by both political and domestic jealousy. Scottish history abounds in similar scenes.

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the city of Durham. "All," says the old chronicler, "came in the best plight that they could." The force amounted to 1200 cavalry, 5000 archers, and about 18,000 infantry. The Lord Percy, and others, are mentioned by him as among the English commanders. The contemporaneous English song-writer Lawrence Minot celebrates with especial praise the Archbishop of York and the Bishops of Durham and Carlisle.* When the English prelates and lords

* Froissart (c. 138) represents Queen Philippa, not only as collecting the English army, but as passing along the divisions of it when drawn up for the actual battle, and exhorting the soldiers personally. After this, he says, "The Queen departed from them, recommending them to God and to Saint George." Many late writers have rejected Froissart's narrative of Queen Philippa's share in this victory, as unsupported by any other writer. But the now recovered Chronicle of Jehan le Bel records expressly the part taken by her in raising the army, in exhorting the chiefs, and in appointing a board of commanders. After this, according to him, she remained in the fortress of Newcastle, while the generals led the English army against the Scots.

It seems to me that we are bound to believe this, but that Froissart's additional description of her haranguing the troops immediately before the battle had its origin in that writer's poetical imagination. Such a picturesque incident could hardly (if real) have been omitted by Lawrence Minot, the English song-writer, who wrote his stanzas about the battle soon after the event, and who does take care to celebrate the Archbishop of York and others who were on the field. But Minot may very well have left unnoticed Queen Philippa's share in the early preparations for resisting the Scotch, and her presence in the council of war which was held before the battle, and before the English army had moved to near Nevill's Cross.

Some parts of Minot's song on this battle are very spirited. I quote one of the early stanzas, which I have very slightly modernised:—

Sir David the Bruse
  Said he would dare
To ride through all Ingland,
  For nought would he care.
At the Westminster Hall
  Should his steeds stand,
Whiles our Kyng Edward
  Was out of the land.
But now has Sir David
  Missed of his marks,
And Philip the Valoys,
  With all their grete clerks.

Wright's Political Songs, &c., vol. i. p. 84.

were assembled, they came before the Queen; who implored and desired them to defend her, and to guard the weal and the honour of the King. She chose four prelates and four knights, who very willingly took on them the management of the war.*

She addresses the English leaders.

They placed Queen Philippa in the fortress of Newcastle,† and then marched to oppose the Scots, who had entered Cumberland and marched by Hexham into the Bishopric of Durham. The two armies encountered at Nevill's Cross, and the English gained a complete victory. King David himself was taken prisoner by an English knight, named Sir John Coupland.

Victory of the English at Nevill's Cross.

Soon after this victory, and before the Feast of All Saints, the Queen, in the joy of her heart,‡ went to visit the King, who was besieging Calais. She remained with him until the surrender of the town, which did not take place before August 4, 1347.

Queen Philippa joins King Edward before Calais.

Edward had begun the siege on the 3rd of September, 1346. The fortifications were strong. The garrison was numerous, and under a brave and loyal commander, John de Vienne. The population was warlike, and animated by the bitterest hatred of the English. King Edward saw he should waste his men's lives if he attempted to carry the place by storm; § but he was determined to make himself master of it, and this could only be done by the slow starving process of strict blockade. Edward at once commenced the operations necessary for a long and difficult siege. And he took measures for ensuring

Siege of Calais.

Long blockade of the town.

The king's precaution for the well-being of his troops.

* Jehan le Bel, vol. ii. p. 110.

† *Ibid.*

‡ "Oncques dame n'eut si grand joye que celle royne avoit."—Jehan le Bel, vol. ii. p. 111.

§ Jehan le Bel says of Edward that, "Trop luy pesoit quant il véoit ses gens estre affolez ou tuez folement en assaillant."—Vol. ii. p. 127.

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food and shelter and comfort for his troops during the blockade, with the prompt and far-sighted liberality, which is the truest economy on such occasions. Strong lines of circumvallation, with deep trenches and well fortified posts in proper positions, were drawn round the landward side of Calais; and in convenient parts of those lines rows of huts and wooden houses were erected, in which the English army was well quartered throughout the autumn and winter, and the ensuing spring and summer. A new town ("Newtown the Bold," Edward is said to have called it) was thus set up to destroy the old one. This town of war was laid out in regular streets, with shops and storehouses in suitable places. These were well stocked; as the neighbouring Flemings were friendly, and brought in supplies by land; and, after a little time, the English maintained also the command of the sea, and kept up free communications with England. At first the French vessels were most numerous in the Straits; but the English before long collected such a fleet as gave them the mastery; though French squadrons and single ships made, throughout the siege, repeated and gallant efforts to convey supplies to the garrison, and to cut off those intended for the besiegers.

A besieging town built round the besieged town.

The operations of the siege thus judiciously conducted by King Edward involved very heavy expenditure, which the King could not have sustained if he had not been zealously supported by his Parliament and his people. Within three weeks after the battle of Cressy, Edward's Commissioners summoned the Parliament; and Edward sent over from his army his chamberlain, Sir John Darcy, and Sir Bartholomew de Burghart to narrate to the estates of the realm their King's campaign in France,

The parliament and English people support King Edward zealously.

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the towns he had taken, the great victory which he had achieved, and the arduous enterprise which he had now undertaken of conquering Calais, that den and stronghold of pirates, who had so long, both in truce-time and in open war, despoiled the commerce and wasted the coasts of England. In order to show the dwellers in English homes from what perils their King had already rescued them, Edward sent over to the Parliament the document found at the capture of Caen,* whereby the Normans had engaged to invade and conquer the country, and (as it was stated) to destroy the English race and language. The Parliament participated fully in the warlike ardour of the Sovereign. The liberal supply of two-fifteenths was voted for the support of the King's forces before Calais.

It is probable that the Commons, who were so deeply interested in the prosperity of the English wool trade, and of the English manufacture of woollen goods, heard with peculiar pleasure the destruction of the three principal towns where the rival woollen trade of Normandy had flourished.† And all, in that age, who were desirous for the security of English commerce, must have felt the importance of conquering and occupying the city and port of Calais. Allusion has been already made to the persistency with which the inhabitants of the sea-port towns along both sides of the Channel kept up hostilities with each other, and the seizures of merchant ships, and maraudings upon villages and weak towns along the coasts, even in periods of truce or peace between the two kingdoms. The men of Calais had been the most active and for-

Animosity of the English merchants and shipowners against the people of Calais.

* See *supra*, p. 120. Archbishop Stratford read this document out to the Londoners at St. Paul's.—Avesbury, 130.

† See *supra*, p. 121.

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midable on the French side in thus preying upon English commerce, and in harassing the south-eastern English sea-board. The English statesmen and the English merchants called them the pirates of Calais; and (though English precedents for such piracy might have been quoted) there was ample cause for giving the name.

Naval and mercantile value of Calais as an English possession.

The capture of Calais was obviously the only mode of effectually quelling those ferocious depredators; and it was also clear that not only would the permanent occupation of it guard against the recurrence of similar mischief in future times, but that England, when commanding both the fortified port of Dover on the north, and the fortified port of Calais on the south, would be effectual mistress of the Straits; and that her dominion of the seas would be thereafter, to a great extent, a practical and a lucrative reality, and not a mere sounding but unsubstantial title. The English people felt all this keenly, as their Sovereign must also have felt it; for Edward III., throughout his reign, showed a wise solicitude for the advancement of English commerce. Perhaps also he valued a little more than his people did the advantage, which he and his successors were likely to derive in future campaigns and wars from possessing in Calais a ready gate for the entrance of their armies into France.

When the Governor of Calais, John de Vienne, saw that the English intended to keep up the blockade, and to pass the winter before the town, he sought anxiously to reduce as far as possible the consumption of his stores of food. For this purpose he turned out of the town about 500* of the feeblest of the population, men, women, and children. When King Edward

* This is the number given by Jehan le Bel.—Vol. ii. p. 96.

saw those wretched creatures thus driven forth towards the English lines, he had them brought into the large reception room in his own quarters, and gave them a plentiful meal. He then gave them each three pieces of silver "for the love of God," and ordered that they should be safely escorted to a considerable distance beyond the English lines. The old chronicler who narrates this, observes that "This deed ought to be recorded as a great proof of noble generosity."* If we consider the barbarity, with which war was usually conducted in such cases, we may think the praise not ill-deserved.

1346. Edward's mercy to the Calais people when driven out of the town.

Months passed away; and still the blockade was unrelaxed and unbroken on the land side. By sea some relief was occasionally introduced, otherwise Calais could not have held out so long. In April, 1347, a squadron of thirty French ships and galleys, laden with provisions and military stores, succeeded in making their way through the English cruisers into the port. But Edward built a fort on a projecting tongue of land close to the entrance of the harbour. This he armed with military engines, among which cannons (bombardes)† are specifically mentioned. He garrisoned this fort with forty men-at-arms and 200 archers; and thenceforth it was impossible for any vessel to pass out from or enter the port without being exposed to destruction. The English fleet also was greatly increased; and a French relieving squadron was intercepted and captured in June. Soon after this a

1347. Increased strictness of the blockade. French relieving squadron defeated.

* "On doibt bien cecy recorder pour une grande gentillesse." (Jehan le Bel, vol. ii. p. 97.) Froissart raises the number thus relieved to 1700. Knighton asserts that the King refused to let them pass, and that most of them perished. But he is evidently inaccurate in this part of his narrative (as Mr. Longman has pointed out, vol. i. p. 267, n.), and the positive testimony of the Flemish chroniclers is not to be set aside.

† Jehan le Bel, vol. ii. p. 127.

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letter, which the Governor had despatched to the French King, came into Edward's hands. De Vienne in it implored speedy help from his Sovereign; and informed him that without such help the place must soon be surrendered. "We have already," said De Vienne, "consumed even dogs, cats, and horses. There is no food remaining, unless we should eat each other." Edward sent the letter on to Philippe, adding a recommendation to him to make haste to relieve Calais for his own credit's sake.

Extreme distress of the garrison and inhabitants.

Vain endeavours of King Philippe to raise the siege.

The French King had for some months been engaged in collecting such a force as might suffice for the raising of the siege. He displayed the Oriflamme, the sacred standard of France, and he ordered a general muster of the forces of his realm in May. But his feudatories were slow in coming together, and his difficulty as to raising money for the pay of the troops was extreme; though he is said to have practised for this purpose great exactions from all classes of his subjects. At last he succeeded in collecting an army of 130,000 men; and he led them towards the English position. But Edward could at proper seasons be as wary and cool, as at others he was daring and impetuous. The English lines were unassailable by Philippe with any prospect of success; and after vainly trying what could be effected by taunts or diplomacy, King Philippe led back his army in sorrow and shame, and abandoned the brave defenders of Calais to their fate.*

The fall of Calais could no longer be deferred. The

* According to Jehan le Bel (vol. ii. p. 130) and Froissart, King Philippe sent a message to Edward, challenging him to lead his army forth and fight him on a fair field, but Edward replied, in substance, that as he had now been before Calais for nearly a year, he meant to stay a little longer, as the place was about to fall into his hands. He told the French messengers that their master, if he wanted to come to him and could not do it by one road,

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severity of the famine in the town was now such that "the strongest man could hardly hold himself up."* The citizens agreed together that if they could obtain no gentler terms, they had better throw themselves on the mercy of the King of England than die of hunger. They begged the Governor, John de Vienne, to speak for them. He held a conference with Edward's captains, Sir Walter Manny and three others, whom the King sent to hear his proposal. He confessed the extreme straits, to which the garrison and the townsmen were reduced; and, appealing to the mercy of the English King, he asked liberty for them all to depart, leaving the whole of their goods and wealth behind. These and the castle and the town were to be the booty of the conqueror. The English answer was that all must surrender at discretion; and King Edward would then admit to ransom such as he pleased, and would kill such as he pleased. John de Vienne rejoined that such terms were too hard for acceptance. He said to Sir Walter, "I and my comrades here are a small band of knights and squires, who have been loyally doing our duty to our Sovereign to the best of our power, as you yourself would do to your Sovereign in the like cause. We have suffered much; but we would yet endure the greatest possible torments, rather

Calais starved to surrender.

The governor asks terms.

Severity of Edward.

Honourable remonstrance of the governor.

must try his best to do it by another. But Edward sent a state letter home to the Archbishop of York (given in Avesbury, p. 163), in which he asserts that he accepted Philippe's challenge, but that the French burnt their tents and retreated.

There can be no doubt but that the true account is that given by Jehan le Bel and Froissart. Edward's reputation for veracity is not immaculate, of which we shall see a flagrant proof when we come to the constitutional history of his reign.

It is strongly characteristic of the spirit of that age, that Edward feared that he would be lowered in public opinion, if he confessed his really admirable generalship in baffling the French army, and if he did not seem to have been always ready for fighting, however needlessly or foolishly.

* Jehan le Bel, vol. ii. p. 133.

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than consent that the meanest servant-boy in the town should have worse terms than the greatest man in it. We humbly desire you to pray of your King that he will in his mercy receive us as his prisoners, but with security for life and limb."

Sir Walter Manny's intercession.

Sir Walter Manny willingly undertook to do all in his power. He told King Edward what had been said; but neither he nor the other English lords and knights could either by entreaty or argument prevail on the King to grant De Vienne's request. Sir Walter then said, "Sire, you do wrong in this; and you may give us your followers an evil warning. For if you order us to go and defend any of your fortresses, by St. Mary, we shall not go thither very willingly, if you put these men to death as you threaten. For what will become of us in the like case, however well we may have done our duty?" This warning softened the King's heart much, and he said, "My lords and comrades, I will not singly oppose the judgment of you all. Go back, and tell them that I will receive them all as prisoners, except that I will have six of the chief citizens of the place, who must come before me clad in nothing but their shirts, and with halters round their necks, and they must bring me the keys of the city, and I will deal with these men merely according to my will."

Terms finally offered by Edward.

Devotion of the Six Burgesses of Calais.

John de Vienne, on receiving these terms, ordered the town bell to be rung; and then all the people of the town assembled, men and women, and they were all lean with hunger. De Vienne told them King Edward's conditions; and they all began to yell and to cry aloud so much that it was very pitiful. After a little while the richest burgess of the town, whose name was Eustace de Saint Pierre, rose up and spoke before them all:—"Sirs, it would be a great pity to let such a

people as there is here, die by famine or otherwise; and there would be great doing of good, and great obtaining of favour God-ward for the man who could save them. Now, for myself, I have great hope in our Lord, that, if I can save this people by my death, I shall have pardon for my sins. So I will be first of the six, and I will go willingly barefooted and stript to my shirt, the halter round my neck, and place myself at the mercy of King Edward." And when the burgess St. Pierre had said this, every one knelt down to him and mourned for him; and several men and women in their anguish and their affection threw themselves at his feet: and no wonder, for no one can imagine the great distress of famine, which they had been enduring for more than six weeks before.

Then another of the richest citizens* rose up in like manner and said that he would be the second to offer himself. Then there arose a third, a fourth, a fifth, and a sixth. All said that they were freely willing to place themselves at the mercy of King Edward, who was held to be the most valiant prince in the world, even in the manner which he had ordered, so that they might save the rest of the people in the town.

Then these six Calais citizens, in their shirts, barefooted, and with halters round their necks, went forth to the four English knights, who were waiting outside; and they prayed the English knights to lead them before King Edward, with the keys of the town and castle, which they had brought for him, and to ask in their behalf pity from the King. All the English host assembled, when the four knights led them to the royal

* Froissart, ch. cccxxi., gives his name Jean d'Aire, and adds the circumstance that "he had two fair daughters." Froissart gives the names also of two brothers, Jaques de Vissant and Pierre de Vissant, who were third and fourth among the six.

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presence. Some called out that they ought to be hanged, but more wept with compassion. The noble King Edward, accompanied by his earls and barons, came forth, and took his place; and the Queen (who was great with child) came after the King. The six burgesses knelt down before the King, and Sir Eustace said to him, "O gentle King, you see us before you, six of the ancient burgesses of Calais, and of its chief merchants. We bring you the keys of the town and the castle. We have placed ourselves at your mercy, to save the rest of the people, who have suffered much misery. May it please you out of your most high nobleness to have pity on us." All the lords and knights round wept with compassion; but the King had so hardened his heart in his wrath, that for some time he could not speak: but at last he ordered their heads to be struck off instantly. All his lords and knights with tears begged him to show mercy, especially Sir Walter Manny, but they availed nothing. The King ground his teeth, and said, "Sir Walter Manny, meddle not. It shall be as I have ordered. Let the executioner come. The men of Calais have caused the death of so many of my people, that these men also must die."

Sternness of King Edward.

Then the noble Queen of England humbly threw herself, far gone as she was with child, at the King's feet, and wept pitifully. She said to him, "My good lord, ever since I crossed the sea to you, at great risk, as you know, I have never asked a boon of you. Now then, with clasped hands, I pray and I beg of you that for the sake of the Son of Our Lady, you will have mercy upon these men."

Queen Philippa intercedes for them,

The King paused a little, and looked on the Queen, who was kneeling before him weeping bitterly. So his heart began to soften a little, and he said to the Queen,

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Their lives are spared.

"Lady, I wish you had been elsewhere. You pray me so tenderly that I cannot deny you. And however much it goes against my will, still, take these men. I give them to you." He then took the six burgesses by the halters, and gave them to the Queen; and out of his love for her he released from death all the men of Calais. So the noble lady took the six burgesses, and had them clothed and kindly treated.*

Edward enters Calais.

On the day following the surrender (August 3, 1347,) Edward and Philippa made their triumphant

* The narrative in the text of the Surrender of Calais has been entirely taken from the contemporaneous Chronicle of Jehan le Bel. I have in many cases translated literally his graphic though quaint expressions.

We now know that the description of these events, which Froissart inserted in the first version of his Chronicle (he omitted it in his second), was based by him on the work of Jehan le Bel, although he added a few details. Many historical critics during the last half century have questioned the truth of the story of the six burgesses of Calais, for the supposed reason that Froissart was not corroborated as to it by other writers. But Hallam pointed out (Middle Ages, vol. i. c. i. part ii. p. 57, n.) that the Italian writer, Villani (who was contemporaneous with the event) gives in his Chronicle strong confirmation of Froissart's story. And it is also important to observe that Villani gives as a reason for Edward's intended severity, that he wished to execute justice on the Calais citizens, "siccome di pirati di mare."

Now that we have the authority of Jehan le Bel for the truth of this story, it seems to me that only intentional scepticism can doubt it any longer. I may add that I have found an express statement of the main facts of the story in the "Chronique des Pays Bas, De France, d'Angleterre, et de Tournai," edited by the Académie Royale de Belgique, in their "Recueil des Chroniques de Flandre," Bruxelles, 1856, vol. iii. p. 176:—"Se renderent cheus de Calais par convenent que vi. bourgeois de ville alèrent au roy Edouars en pur lingne draps, deflutés, et descaus, le hart au col. Mais par la pryere de la roine, sa femme, ils furent de mort respités."

Jehan le Bel closes his narrative of the siege of Calais with some observations on the very large sum of money, which the siege had cost Edward, who was also at the same time paying for troops, who were carrying on his wars in Scotland, in Gascony, in Brittany, and in Poitou. He adds a sentence, which is important, as showing that Jehan le Bel's narrative of the siege of Calais was written shortly after the event. "Et croy que on ne trouveroit en hystoire que oncques roy crestien guerriast en tant de marches en ung temps, ne poeut soustenir si grands pais et despens *comme il a fait jusques à ores; je ne scay comment il en sera le temps advenir.*"—Vol. ii. p. 139.

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entry into Calais, where the Queen was soon afterwards delivered of a daughter, called Margaret of Calais. Edward determined to make his new conquest an English town as far as possible; and many merchants and other settlers from England were brought thither by him, who filled up the void in the population caused by the siege, and by the departure of a large number of the French citizens, who refused to swear allegiance to King Edward. Calais became a possession of the English Crown, and continued to be so for more than two hundred years: much longer than Gibraltar has hitherto been held by Edward's successors on our throne.

It is colonized with English.

We had Calais longer than we have as yet had Gibraltar.

A truce between the French and English.

The efforts of the Pope to stop the effusion of blood in this struggle between the French and English had been honourably earnest and unremitting; and both the rival kings were now willing to let the war cease for at least some time. Philippe felt the severity of the blow which had been dealt to the power of France; and Edward was eager to return to his own country. A suspension of hostilities for ten months was proclaimed; and on the 12th of October Edward landed in England, where he was received with enthusiastic joy by his people, who were not unjustly proud of the glorious height, to which England was now raised among the nations. The heavy expenses of the war, indeed, and especially of the siege of Calais, brought severe taxation on the people, to which the assent of the Commons was not obtained without frequent remonstrance: but still it was obtained, and the wealth placed at the disposal of the English King excited the admiration of foreigners. They saw that by means of it Edward was enabled to carry on systematic operations of war, on many scenes of action at the same time, on a scale hitherto unprecedented

Edward returns to England, October 12, 1347.

Effect of the wealth of England in winning Edward's conquests.

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among the princes of Christendom.* This, and the fame for personal daring and prowess, which had been acquired by the King himself, by his son, and by many of his lords and knights, made Edward III. at this period of his reign, and for many following years, the most renowned sovereign in Europe. A memorable proof of this was exhibited in 1348, when a majority of the Electors of the Holy Roman Empire of Germany held a Diet, in which they, without canvassing or solicitation, chose Edward of England as Emperor, as the Cæsar Semper Augustus. Charles of Luxembourg (son of the King of Bohemia who fell at Cressy) had been set up as Emperor by a small body of the electors in the lifetime of the Emperor Louis IV., whom the Pope had excommunicated repeatedly, and affected to depose. But the great body of the German princes and cities and peoples had refused to acknowledge Charles, whom they regarded as the Pope's nominee; and Louis held the imperial station until his death in 1347. Even after the death of Louis, the majority of the Germans were unwilling to recognise Charles of Luxembourg as their Cæsar; and there seems every reason to believe that, if King Edward had been willing to accept the dignity, which was offered to him, he might have enforced and maintained his imperial title. But he and his advisers saw and appreciated the difficulties and embarrassments, which were likely to arise from a war in Germany for the imperial crown being added to the still pending contest for the French crown; and Edward had the good sense to decline the dazzling dignity. The Germans ultimately, though with reluctance, accepted Charles of Luxembourg as the Emperor Charles IV.

Pre-eminent renown of Edward III. among the sovereigns of Europe.

King Edward is elected Emperor.

He declines the honour.

Charles IV. recognised as emperor.

* See the remarks of Jehan le Bel, vol. ii. p. 139, already cited in note to p. 147, *supra*.

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Edward maintained friendly relations with him, and sent him a formal letter of congratulation on his coronation at Rome* in 1355. The Emperor Charles IV. was far from being a brilliant or interesting personage; but his reign is important in European history, inasmuch as his Golden Bull determined and fixed for centuries the constitution and the prerogatives of the Electoral College of the Empire.

Truce prolonged.

The truce, which after the capture of Calais had been made with France, was several times prolonged; but in the interval before the resumption of open warfare with the French in 1355, Edward found two opportunities of signalising his personal valour.

An attempt to get back Calais by bribery and surprise frustrated by Edward.

He received intelligence in 1348 from Amerigo di Pavia, an Italian officer, whom he had left in command of the garrison of Calais, that an attempt to bribe him into betraying the castle had been made by the French commandant of St. Omer. By Edward's directions, Amerigo pretended to entertain the proposal, and to agree that a French force should be secretly admitted into the fortress on the last night of the year.

Action before Calais, December 31, 1348.

Before this time arrived, King Edward and the Black Prince, with 300 picked men-at-arms and 600 archers, secretly crossed the Strait, and reinforced the garrison. At the appointed period the money, which had been stipulated for as the price of Amerigo's fidelity, was brought to him by a French agent; and at midnight of the 31st of December, twelve French knights and a hundred men-at-arms came to the postern of the castle gate. They were admitted; but an overpowering force of the English was ready within, and immediately made them prisoners. The com-

* See as to Edward III. and the Empire, Knighton, p. 2596, Hist. Ang. Dec. Scrip.; and Rymer, vol. iii. part i. p. 34, and p. 109.

mandant of St. Omer had marched with a large body of troops and halted near the town. The English garrison sallied out to attack them; and King Edward placed himself as a private knight under the banner of Sir Walter Manny, the English leader, who was sure to be foremost in the fight. In the action that followed, King Edward singled out as his personal antagonist Sir Eustace de Ribeaumont, a French knight of distinguished prowess. Edward took him prisoner, but not until after an obstinate encounter, in which De Ribeaumont twice struck the English King nearly to the ground. Almost all the French were slain and taken; and when the prisoners were brought back into Calais, King Edward disclosed to De Ribeaumont the rank of his adversary and captor. Edward's demeanour on this occasion displayed the brightest features of his chivalry. The French knights were invited by the King to be his guests at table; and, when the meal was finished, King Edward rose, and, taking from his own head a chaplet of pearls, he walked with it in his hand till he came opposite to De Ribeaumont. He then, in the presence of the assembled English and French knights, addressed him thus in a joyous tone:—

Combat between King Edward and Sir Eustace de Ribeaumont.

Edward's generosity to his prisoners.

"Sir Eustace, you are the best knight in the world that I have ever met, both in your attack on an enemy, and in your defence of yourself. And never did I meet before, in any battle in which I have been, one who gave me so much trouble hand to hand, as you have done. So I adjudge you the prize of valour, and so do all the knights of my court." The King then placed the chaplet of pearls on De Ribeaumont's head, and said to him, "Sir Eustace, I give this chaplet to you as the best champion in this fight; and I pray you to wear this chaplet for this year for

He gives the prize of valour to De Ribeaumont.

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my sake, when you are among lords, and when you are in the company of the ladies, whom you are very fond of, as I hear and quite understand. And you shall promise me that, wherever you may be, you will make mention of my having given you this chaplet for this reason. If you promise me this, I give you your liberty freely, for the ladies' sake."*

Les Espagnols sur Mer.

The other occasion, on which Edward sought glory as a combatant, before the renewal of the French war, was at sea against Spanish enemies. There was no avowed war between any of the Spanish kingdoms and England; but squadrons from the Biscayan and Galician ports had frequently plundered English vessels, and slaughtered English seamen. One of the Spanish naval commanders, Don Carlos de la Cerda, was renowned for the strength of the squadron which he commanded, and for his ferocious enmity to the English. In 1350 La Cerda sailed along the channel to the Flemish ports; destroying all the English shipping that he met with. Edward resolved to attack him on his return, and La Cerda had full intelligence of the preparations made in the English ports for that purpose. La Cerda had no wish to avoid the encounter; but he carefully strengthened his ships while in the Flemish ports, and reinforced his crews with soldiers, cross-bow-men, and archers. At the end of August he began his homeward voyage, sailing leisurely along with a fair wind, and keeping near the English coast, as if to challenge the English to come out of their harbours and fight. Edward had collected his fleet at Winchelsea, where he held his court with his Queen, his Princes, and nearly four hundred of his most distinguished nobles and knights around him. He embarked on the 28th of August, and on the

Outrages committed by the Spaniards on the English shipping.

La Cerda the arch-pirate of Spain.

He sails to Flanders, 1350.

Preparations of Edward to attack him.

Edward embarks at Winchelsea.

* Jehan le Bel, vol. ii. p. 150.

1350.

Battle of Winchelsea (called by the chroniclers "the battle of Espagnols sur Mer,") August 29, 1350.

afternoon of Sunday, the 29th, as the English fleet lay a few miles off Winchelsea, the wind blowing fresh from the north-east, the signal was given that the Spaniards were approaching. La Cerda had forty ships. The number of Edward's vessels was greater; but the English ships were much inferior in size and height to their adversaries; and the aggregate number of the Spanish crews far exceeded that of the English. The Spaniards bore right down upon the English, who encountered them without flinching. Each side sought to run down their adversaries, or to grapple and board; and a series of desperate close combats, ship charging ship, like knights on the tourney field, and crew rushing against crew, ensued all along the line. The flower of the chivalry of England, the victors of Cressy, were on board the English ships; their King and their favourite Prince commanded them, and they fought in the sight of the English Queen and the beauties of her Court, who, from the high hills behind Winchelsea, watched the fight. Still such was the bravery and skill of La Cerda and his followers, aided by the superior height and weight of the vessels, that the victory was long doubtful. The Spaniards cast bars of iron and huge stones from the top-castles of their lofty masts down upon the English decks with fatal effect; and in the collision between ship and ship the planks of the English vessels, as the weakest, were generally started. King Edward's own ship went down, almost under him. Only a few minutes before she foundered, he succeeded in carrying the Spaniard that had grappled him, and then, as if he had mounted an enemy's horse, when his own was slain on the battle plain, he continued to fight from on board the prize. The Black Prince's ship was nearly foundering, when the Earl of Lancaster attacked his

Advantages of the Spaniards, from the superior height and weight of their ships in the mêlée.

King Edward's ship sunk almost under him.

He boards his enemy and fights from her.

The Black Prince rescued by

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the Earl of Lancaster.

enemy on the other side, amid loud shouts of "Derby to the rescue!" This Spaniard also was captured; and the Prince, like his father, passed on board her, and fought her against the other Spaniards during the rest of the action. At last, towards evening, the English had the clear mastery. Twenty-six of the Spanish ships were sunk or taken, and La Cerda with the remnant of his fleet drew out of the fight, and sailed down Channel. The English were in no condition to pursue. King Edward ordered the royal trumpets to sound the order to cease action. He then, with his princes and nobles and the other more distinguished warriors, returned to Winchelsea, where they rejoined the Queen and her ladies, with whom they passed the night in revelry and in the dance, and in discourses upon love and arms.*

Towards evening victory declares for the English.

26 Spanish ships sunk or taken.

King Edward and his chivalry return to Winchelsea, and feast there with Queen Philippa and her ladies.

Splendour of the English court.

The chivalrous historian, from whose Chronicle this sketch of the battle of "The Spaniards on the Sea" has been chiefly taken, gives many brilliant narratives of the tournaments and other knightly pageantries of which the English Court was the scene during the interval between the campaigns of Cressy and Calais, and the renewal of active hostilities with the French in 1355.

Institution of the Order of the Garter.

One institute of the chivalry of those days has flourished until the present time, and still flourishes in not merely undiminished, but increasing splendour and renown. King Edward III. in 1349 selected twenty-five of the bravest and noblest of the knights of England, whom he associated with himself in a knightly brotherhood. St. George was the patron saint; and each knight wore round his neck a collar from which hung a jewel, called the Great George,

* Froissart.

and representing the military saint,* armed and mounted, and trampling a vanquished dragon beneath his courser's hoofs. But the peculiar badge of the new knights was a garter of blue velvet, on which was embroidered the motto "Honi soit qui mal y pense." Various accounts are given of the origin of this emblem, and of the corresponding name of the new order, whose style was appointed by their founder to be, and still is, "The Knights of St. George of the Order of the Garter." There seems to be no reason to reject the narrative, which has been usually received by historians, according to which King Edward was observed by some of his courtiers at a festival to pick up from the ground a garter, which had been accidentally dropped by the fair Countess of Salisbury. The courtiers smiled on seeing this; and King Edward, who perceived the significance of their smiles, said to them in French (then the court language), "Evil be to him who evil thinks." The King further showed that he himself could feel deeply, if not constantly, the sentiment which he expressed, and that he regarded the Countess of Salisbury as worthy of the highest honour, by making the garter, which he accidentally found, and

Its traditional origin.

* According to Selden, the true St. George was a distinguished officer in the armies of the Emperor Diocletian, who was converted to Christianity, and became a martyr during the persecution of the Christians by that Emperor.

Mr. Baring Gould, in his Mediæval Myths, second series, has given a copious and curious account of the mediæval legends respecting St. George, and the ancient oriental myths that were blended with them. He says (p. 26) "that St. George, in his mythical character, is a Semitic god Christianised." He was a favourite saint with the Crusaders; but until the reign of Edward III. he was not regarded as the guardian saint of the English in particular. From that time St. George "replaced Edward the Confessor as patron of our nation;" and became, as Spenser in "The Faery Queen" has styled him,

"St. George of merry England, the sign of Victory."

(See Mr. Gould's work, pp. 49, 51).

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the words, which he had uttered on the occasion, the symbol and the motto of the noblest order of knighthood in his dominion.*

Devastations of "The Black Death."

But however brilliant were the pageantries of England's Court and nobles during the seven years that followed the victory at Cressy, part of this period was marked by general misery and terror, not in England only, but throughout the greater part of the civilized world. A pestilential malady (which among the many pestilences recorded in history is distinguished as the Black Death) spread from Asia and Egypt in a north-westerly direction over the European continent, and is said in some districts to have swept off as much as two-thirds of the population.† It reached England in

* There are some well-known and very beautiful chapters in Froissart which give a description of Edward's falling in love with the Countess of Salisbury at the Earl's castle of Wark, immediately after King David of Scotland had besieged it. Mr. Longman, in a note to p. 202 of his first volume, has brought together strong reasons for considering that Froissart's story has no historical foundation, "although it is quite possible that Edward may have fallen in love with the Countess of Salisbury at some time or other."

Jehan le Bel, in his 65th chapter, has a terrible story (told by him with a pathos and tragic power that remind us of Livy), how King Edward offered violence to the Countess; how the Earl, her husband, when told of it, left England, and threw away his life in battle against the Infidels in Spain; and how the Countess shortly died of grief. Froissart, in his first edition of his Chronicle, simply omitted this part of Jehan le Bel's narrative; but in his second version, that preserved in the manuscript of Amiens, he expressly states that, having read this dreadful charge against King Edward in the Chronicles of Jehan le Bel, he, when he was in England, made careful inquiries to see if it had any foundation of truth; and that he convinced himself that the charge was wholly unfounded. It seems to me that Froissart's earnest statement ought to satisfy us also that Jehan le Bel (who was not in England at, or ever after the supposed date of the occurrence) must have heard and adopted some false rumour against the English King. Edward was notoriously licentious in his early manhood, as well as in his old age; and this may have predisposed his personal and political enemies (of whom he had many) to circulate tales respecting him, in which he was charged with even blacker sins, than those which he actually committed.

† This pestilence began in China, and is supposed to have been one of the great epidemics that have been connected with, if not caused by, volcanic convulsions in the place of their origin. Niebuhr (Hist. Rome, vol. ii.

1349, and every part of the kingdom was soon filled with terror, death, and lamentation. No other epidemic seems to have killed those once affected by it so certainly and so speedily as this, the black plague of the middle of the fourteenth century. Fifty-seven thousand persons are said to have perished in London only. We cannot put much confidence in the accuracy of these figures; but some specific facts are recorded, which there seems no reason to doubt, and which may enable us to form some idea of the fearful extent of this visitation. The churchyards were insufficient to receive the dead; and pits were dug in the adjacent fields, into which the bodies of those stricken and slain by the plague were cast hurriedly in heaps, and without any funeral solemnity or religious ritual. The pious and kindly spirit of Edward's favourite knight, Sir Walter Manny, was shocked at this irreverent treatment of the bodies of his fellow-creatures and fellow-Christians; and at his own cost he provided a new burial-ground of rather more than thirteen acres near Smithfield. For many weeks the number of corpses deposited here averaged two hundred daily. And, whatever may have been the exact numbers carried off by the Black Death in each district, the general fact that it materially thinned the population of the realm, is indisputably attested by the Statute Book, which contains the legislation, by which the King and his Parliament endeavoured to counteract the evil effects of the scarcity of labourers to till the land, and of artisans to carry on the handicrafts, which

1349.

Rapidity with which it killed.

Small proportion of recoveries.

Numbers of its victims in London.

The burial pits.

Sir Walter Manny's new burial ground.

General diminution of the population proved by the statute book.

The Statute of Labourers.

p. 273) says of it :—"We know that the *Black Death*, the progenitor of the present Oriental plague, arose in China in 1347 after terrible earthquakes, and on the soil which they had rent and shattered, at a time when the world had been quite free from this scourge for more than seven hundred years; that is, ever since the extinction of the pestilence which appeared in the reign of Justinian, during a period of incessant terrible earthquakes, self-engendered, like an immediate angel of death."

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1350-1353.

are required to supply the necessaries, the conveniences, and the luxuries of civilized life. There will be occasion to consider these enactments more fully, when we are tracing the internal history of England during this reign; for the present our purpose is rather to follow up the progress of Edward's warfare with the French, which was renewed within a very few years after the Black Death had abated in the land.

Death of King Philippe VI. of France. Accession of King John, 1350.

In 1350 King Philippe de Valois died, and was succeeded on the throne of France by his son John, who had been Duke of Normandy. For the first four years of John's reign there was a series of infractions and renewals of truce between France and England, like what had taken place during the last years of King Philippe's reign. In the latter part of 1353 Edward summoned his Parliament, and informed them that he had endeavoured to obtain a definite peace with France, but that no answer to his proposals had been accorded by the adversary, and that he therefore thought it needful to prepare for war. The English Parliament agreed with their Sovereign, and a liberal grant of money for the war was voted. On the Pope's intercession, negociations were reopened in 1355. Edward was willing to renounce, on conditions, his claim to the French crown. But it certainly was made a condition by him that the whole territory of Aquitaine should be restored to him; and there seems reason to believe that he stipulated also for the retention by him of all the conquests that he had made. According to one English chronicler, a treaty was drawn up and sworn to, and required nothing but sealing; but it was broken off by the French.*

1353. Edward informs his parliament that he cannot obtain firm peace, and means to prepare for war.

They agree, and vote subsidies.

More fruitless negociation.

* Walsingham, 278. See also, as to these negociations, Rymer, vol. iii. part i. pp. 94, 100.

1355.

In 1355 King Edward led an army to Calais, with which he marched through the north-eastern provinces of France. King John wasted the country, through which the English had to move, but he carefully avoided a battle; and Edward, finding all his supplies cut off by the prudent policy of his enemy, was glad to return to Calais, and to make a truce, which was to endure till the following Easter. He had received intelligence from England which made him eager to return thither. The Scots, acting in concert with the French King, had made themselves masters of the town of Berwick by stratagem, and were desolating the border counties of England. Edward's measures were taken with his usual celerity and vigour. He brought back the largest part of his army from Calais, collected fresh forces at home, and in the beginning of 1356 besieged and recovered Berwick. He purchased from Balliol a formal transfer and resignation of the crown of Scotland, and advanced into that country at the head of a force, which it was hopeless for the Scots to encounter in the open field. They pursued their old traditionary wary policy of driving away the cattle, and removing every kind of provisions from the line of the invader's march, and of harassing him by incessant skirmishes on flank and rear, while they gave him no opportunity of bringing them to a general action. Enraged at the inglorious losses and sufferings, which his magnificent army sustained in consequence of the skilful conduct of the Scottish leaders, Edward gave castles and abbeys, towns and villages to the flames, with a reckless cruelty that seldom deformed his character. His invasion was long remembered by the Scots under the name of the "Burnt Candlemas." But the severities exercised by him in his advance increased fearfully the distress of his army on their line of retreat over the

Edward again invades France, October, 1355.

Retreats to Calais.

Truce made till following Easter.

Scottish war.

Berwick surprised by the Scots.

Edward returns to England.

Edward recovers Berwick, January, 1356.

Balliol sells his regal rights to Edward.

Edward invades Scotland.

Prudent policy of the Scottish leaders.

Cruelty of the devastations made by the English.

Sufferings and retreat of the English.

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1356.

country which they had wasted. Edward appears to have been convinced by the results of this great attempt made by him against Scotland, that the conquest of that country was impracticable; and he now earnestly endeavoured to effect such a pacification with the Scots, as would enable him to employ the full power of England against the French. With this view, the long-protracted and often interrupted negociations respecting the ransom of the captive King David, were renewed, and that Prince was restored to his kingdom under stipulations for the payment of a ransom of a hundred thousand marks by instalments of ten thousand marks yearly. There was to be a truce between the kingdoms during the period assigned for the payment of the ransom money, with free commercial intercourse by land and by sea. There were no more Scottish wars during the remainder of Edward's reign. He had obtained a great ascendancy over the mind of King David; and that Prince, who was childless, and who was jealous of the Steward of Scotland, the next heir to the Scottish crown by marriage with a daughter of Robert Bruce, lent himself willingly to the realisation of more than one scheme of Edward for obtaining by diplomacy and treaty that cession of the independence of Scotland, which arms had been unable to extract. All these schemes failed through the indignant opposition of the nobles and people of Scotland, and the renewal of hostilities seemed repeatedly imminent. Yet actual hostilities were always averted; and the last twenty years of Edward's reign formed a period of singular tranquillity for Scotland (except so far as she was distracted by the feuds of her own children), and for the northern counties of England also.

Edward abandons all schemes of conquering Scotland by force of arms.

Negociations with the Scotch.

King David ransomed and restored.

Truce between the two kingdoms.

Cessation of war with Scotland during the latter part of Edward's reign.

His projects for winning Scotland by diplomacy favoured by King David, but baffled by the spirit of the Scottish nobles and people.

The French war.

A blow to France, even heavier than her defeat at Cressy and the loss of Calais, was given in 1356.

This was dealt by an army that had marched, not from the north, but from the south, where the Black Prince had been appointed King Edward's lieutenant in the dukedom of Aquitaine, with full power to wage war, make alliances, and receive homage in the King's name. The popularity and renown of the young Prince of Wales made the youthful and adventurous spirits of the age eager to serve under him; and in the autumn of 1355 he found himself at Bordeaux at the head of an army estimated to comprise among its forces of all kinds not less than sixty thousand men. A very large proportion of the knights and men-at-arms were Gascons. But the Prince had with him the Earl of Warwick, the Lord Reginald Cobham, the Lord Thomas Hampton, the Lord Audley, Sir John Chandos, and many more of the most renowned knights of his own country; and the force of archers under his command comprised many thousands of England's stoutest and most skilful yeomen. He marched, in the autumn of 1355, without opposition through the provinces of the French King that adjoined Aquitaine, as far as the Mediterranean, spreading devastation and terror wherever he moved, and giving his followers the means of acquiring ample booty. In 1356, after providing amply for the defence of Aquitaine, and the numerous strongholds, which he had conquered and occupied in his recent winter campaign, he marched out of Bordeaux with the determination of penetrating into the very heart of France. The army led by the English Prince on this occasion is said not to have exceeded twelve thousand men—an enumeration, in which the light-armed infantry were probably not included. It is clear, from what we know of the great battle fought by this army, that the archers must have

The Black Prince viceroy at Bordeaux.

English and Gascon forces under his command.

His winter campaign in southern France, 1355.

He begins his second campaign in southern France, July 6, 1356.

Probable number of his army.

CHAP. II. 1356.

been numerous; and it may be safely assumed that the knights, then led forth by the Black Prince, were the very chosen of Gascony and England.

He desolates the French provinces as far as Bourges.

The Prince marched through Perigord and the Limousin, and then struck northward as far as Bourges, plundering and destroying as he went along. The merciless nature of this devastation, and the smallness of the army that was inflicting it, roused King John into vindictive action. He assembled a large host at Chartres, and led them across the Loire, in seemingly well-founded expectation of enveloping and crushing the invaders. The Black Prince received vague intelligence of the preparations of the French, and commenced a retreat through Touraine and Poitiers towards Bordeaux. But he was ill-informed as to the exact movements of King John; and when, on the evening of the 17th of September the English had come within five miles of the city of Poitiers, they suddenly found that the great army of the French was before them, and they knew at once that further retreat was cut off, and that they must either capitulate or fight.

King John collects an army to intercept and crush him.

The armies approach each other near Poitiers, September 17th, 1356.

Skilful preparation of the Black Prince.

Whatever incaution Prince Edward may have shown in exposing himself to be thus intercepted was amply redeemed by the resolution and skill, with which he prepared to abide the peril, that he had rashly braved. Some English knights, who had been engaged in a skirmish which provoked King John to display the full force of his army, reported to young Edward the vast numbers and admirable equipment of the enemy. "God help us!" replied the Black Prince; "we must now give our thoughts to how we can fight them best." He observed, and promptly occupied a piece of rising ground about a mile from the moor in front of Poitiers, on which the French were posted. The ground thus

Position occupied by the English.

taken by the English was intersected by hedges and rows of vines. The only clear passage through it was by a long road or lane, along which not more than four horsemen could ride abreast. Edward drew up half his archers in front of the end of this road, where it opened out into ground still consisting of vineyards, but rather more practicable for regular troops. Behind this body of archers he placed the mass of his men-at-arms, who were to fight on foot. The other half of his archers were thrown forward among the hedges and vine-rows that flanked the lane, and opened towards the position of the French.

Arrangement of the English army.

It is certain that the French army very far outnumbered the English, in some proportion between seven to one and ten to one. The precise number of the English is fixed by some writers as below 8000. The Prince's army must have been much reduced since it left Bordeaux, chiefly by reason of the frequent detachments sent off to escort the large numbers of prisoners, who had been taken during the brief but devastating campaign, and whose ransoms were looked to as the most lucrative results of the war. The best proof of the immense numerical superiority of the French is the willingness shown by the Black Prince to accept the proffered mediation of the Cardinal Perigord between himself and King John, and to purchase a safe retreat to Bordeaux by any sacrifices not involving the sacrifice of honour. He offered to cede all the lands and castles which he had conquered, to give up all the plunder which his army had gained, and to bind himself by an oath not to bear arms against the French for seven years. King John insisted that the Prince of Wales should surrender himself and a hundred of his knights as prisoners of war. This the Black Prince indignantly refused; and Sunday, the 18th of September, having

Probable numbers of the two armies.

September 18th, 1356 Negociation unsuccessfully attempted by Cardinal Perigord.

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been thus spent in fruitless negociation, the French made ready for the attack, and the English to defend themselves on the following morning.

Arrangement of the French army.

Nearly all the nobility of France were with King John at Poitiers. Their army was arranged in three principal divisions, one being under the command of the Mareschals D'Audenehan and De Clermont; the second under the three eldest sons of King John; and the third being commanded by King John himself, who kept at his own side his youngest son, then a youth of sixteen. John placed in the van of all a chosen body of 300 horsemen, who were to begin the battle by charging and dispersing the English archers. This repetition of the Bannockburn tactics was probably suggested by Sir William Douglas, who with some other Scottish knights had joined the French army; but the battle-ground of Poitiers was ill-adapted for the operation, and a commander very different from Edward II. was now at the head of the English.

The Black Prince slightly varied his dispositions for action, by retaining a small body of picked cavalry on horseback round his own person, while the bulk of the men-at-arms were to fight on foot; and also by detaching 300 mounted knights, and 300 mounted archers under a veteran officer, the Captal de Buch, who were to move secretly round the base of a neighbouring hill, and to appear at the crest and charge down on the French flank at fitting opportunity. The English soldiers had also been busily employed, while the leaders were negociating on the 18th, in further strengthening their position by digging trenches and throwing up barricades in every place, that seemed most open to attack.

Preparations for the battle,

At day-break on the 19th, the Black Prince examined in person these preparations for defence, and addressed

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September, 19th, 1356.

The boon to be the foremost in fight craved by the Lord Audley.

his men cheerfully, asking them in God's name to do their duty that day, and promising that, with God's and St. George's grace, they should see him act as became a good knight. The Lord James Audley came forward to beg a boon of him. "Sire," said this gallant knight, "I have served your royal father and yourself long and faithfully, and will do so while I have life. I now tell you of a vow made by me, that if ever I should be in any battle, at which the King your father, or any of his princely sons should be present, I would be the most forward in fight, or die in the attempt. I now pray you that I may post myself so that I may accomplish this vow." Edward readily gave the permission asked for, and held out his hand to him, saying, "God grant, Sir James, that you may this day shine in valour above all other knights." Lord Audley then stationed himself with four of his most trusted esquires* in the front rank of the English heavy armed battalion.

Commencement of the action by a charge of French cavalry and of the 1st main division of the French army.

They had not to wait long for the commencement of the action. The first division of the French came boldly on to the entrance of the lane, preceded by the chosen troop of 300 horse, who sought to gallop up the lane, and ride in upon the English bowmen who stood opposite to its further extremity. But the other English archers, who lined the hedgerows and the sides of the lane, poured their arrows in on the advancing French with fatal effect. Aiming from so short a distance that every arrow told, the English shot the French cavalry down like deer. The lane was soon

They are defeated by the English archers.

* The names of these gallant "Promachi" have been preserved:—Dalton of Dalton, Delves of Dodington, Fowlehurst of Crewe, and Hawkestoun of Wainehill. Froissart has described how their gallant master after the battle made over to them the 500 marks of yearly revenue which had been gifted to him by the Black Prince for his conspicuous valour; and how the Black Prince ratified the transfer, and made a fresh gift to Sir James of 600 marks yearly.

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cumbered with carcasses and with wounded men and horses; and the heavy armed column of foot under the two marshals, which had followed the forlorn hope of cavalry into the defile, was exposed to the same raking volleys from foes, whom they could neither reach nor avoid. A few French knights gained the English end of the lane, only to be destroyed by the arrows of the archers ranged there. Some of the French struggled through the hedgerows at the side, to be cut down by the bill-men among the trenched and tangled ground. Many perished in the lane, shot through by foes, or trampled down by comrades. The flanks of the tortured column writhed and reeled; and the English men-at-arms, advancing through the opened ranks of their archers, came swiftly and irresistibly down upon its head. In utter confusion and dismay, the relics of the first French division fled back from the fatal lane, rushing among their comrades of the second division, and spreading the contagious influence of panic flight. At this crisis the Captal de Buch showed himself with his horsemen and mounted archers over the brow of the hill at the side of the French. Alarmed at the flank attack, with which they were threatened, and assailed by the victorious English in front, the French second division broke, and fled from the field. The third division, commanded by the King himself, and in which the flower of the nobles of France were posted, stood firm; and the success of the invaders might have been imperfect, if they had not had the daring to become the assailants in turn, and to come forth into the open ground to charge King John's division, which alone outnumbered the whole English army. Sir John Chandos, who, as at Cressy, kept close to the side of the Prince of Wales throughout the day, called aloud

Disorder and panic.

Flight of the second French Division.

The third French Division, under King John, stands firm.

The English advance out into the open moor against King John's division.

to his young general, "Ride on, sir, ride on; the day is ours. Let us make for the King of France, for where he is, will be the main stress of the business. I know he is too brave to fly. He shall be ours, if it please God and St. George, but he must be well fought with." The Prince was as ardent for the advance as his gallant comrade, and turning to his standard-bearer, Sir Walter Woodland, he exclaimed, "Advance banners in the name of God and St. George." The chosen body of the English cavalry, the dismounted men-at-arms, and the archers now moved forth from the enclosed ground, where the fight had hitherto raged, upon the open moor. They were led and guided by chiefs, who not only displayed brilliant courage and remarkable personal prowess, but knew also how to check rashness and disorderly impetuosity, and how to employ the cavalry, the heavy armed foot, the billmen, and bowmen, so as to make each arm of warfare most effective.* Some bodies of the first and second French divisions, which had remained on the moor, or had been rallied and brought back by their leaders, were first encountered and broken by the advancing English. The victors then collected themselves for the final struggle with King John's own division. Sir John Chandos

Skill of the English leaders.

* Lord Suffolk was especially praised for his skill and care in riding to the various bodies of the English, and not only encouraging them to fight well, but also "having a great regard that the youthful sort of lusty soldiers being too bold upon their good hearts and courage, should not without regard go out too far; and he placed the archers at times to great advantages." The tactics of the English, when they advanced against any battalion of the dismounted French knights and men-at-arms, seem to have been that, first the archers poured in a volley of arrows at short range, which were sure to kill or wound many in the front rank, and then the English knights and men-at-arms instantly charged the battalion before it could recover from the disorder caused by this loss. The English archers seem also, whenever opportunity presented itself, to have next posted themselves where they could shoot into the flank and rear of the French battalion, while the heavy-armed English pressed it in front.

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Personal gallantry of King John and the French nobles who fought near him.

had not over-praised the French King's spirit and prowess. Seeing the English bear down on him, John called out to his nobles and men-at-arms, "On foot, on foot! fight it out on foot!" and his whole battalion dismounted, and with shortened spears advanced in good order to meet the English charge. King John, with a battle-axe in his hand, took his own station in the front rank, beneath the Oriflamme, and fought gallantly against the English and Gascons under the Earls of Warwick and Suffolk, who formed the part of the Prince's army, which he personally encountered. His young son, Prince Philippe, and the French nobles and knights who were near him, emulated his valour. "Scarcely any," says the old chronicler, "who were with the King attempted to escape. They acquitted themselves to the best of their power, and were either slain or taken. King John proved himself a good knight; and if the fourth of his people had behaved as well, the day would have been his own." * But in the other parts of the French line the resistance to the Black Prince and his conquering warriors seems to have been less desperate, though many of the French nobles, besides those close to the King's person, are praised by Froissart for their determined valour. Sir Eustace de Ribeaumont, King Edward's personal antagonist before Calais, and whose decoration as the bravest knight in that action has been described, was one of the brave Frenchmen who thus fought to the very last, and died at Poitiers. The victorious English and Gascons now poured so fast in upon the band of French nobles and knights round King John, that they broke through its ranks by main weight and strength. Lord Reginald Cobham with his own hand

Death of Sir Eustace de Ribeaumont.

King John and those near him overpowered.

* Froissart.

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struck down the Lord de Chargny, the standard-bearer of France, and the Oriflamme fell to the ground. The King still fought on in the thick of the press with his battle-axe. His youngest son, Philippe, was with him to the last. The three elder princes had fled early in the battle; but little Philippe, though wounded, would not desert his father. Too small and weak himself to be able to strike with any effect, he kept close to King John, warning him of impending attacks, and calling out, "Look to your right, father; now strike to your left."* At last the English and the Gascons pressed so hard on the King, that he saw that he could defend himself no longer. Many knew him, and called to him, "Sir, yield you, or else you are but dead." There was a knight of "St. Omer retained in wages with the King of England, called Sir Denis Morbecke, who had served the Englishmen five years, because in his youth he had forfeited the realm of France for a murder which he did at St. Omer. It happened so well for him that he was next to the King. When they were about to take him he stept forth into the press, and by strength of his body and arms he came to the French King and said, in good French, 'Sir, yield you!'"† The King obtained a promise that he should be taken to his cousin the Prince of Wales, and

Valour of Prince Philippe.

King John and his son are taken prisoners.

* Seven years afterwards King John, in his grant of the Duchy of Burgundy to his son Philippe, bore emphatic testimony to the affection and bravery which Philippe had shown at Poitiers:—"Rappelant encore à notre mémoire les services excellents et dignes de louange de notre très-cher Philippe, le quatrième de nos fils, qui s'exposa de plein gré à la mort avec nous, et tout blessé qu'il était, resta inébranlable et sans peur durant la bataille de Poitiers." Cited in Barante, liv. i. The conquerors in the battle gave young Philippe his surname of "Philippe le Hardi," by which he is distinguished among the Dukes of Burgundy.—See Jehan le Bel, vol. ii. p. 202.

† Lord Berners's Froissart, p. 302. I have modernised the spelling.

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then he gave his right gauntlet to the knight, saying, "I yield me to you." His little son was taken at the same time.

Personal prowess of the Black Prince.

The Black Prince had throughout the battle on the moor shown might in arms as a combatant, equal to the skill and conduct which he had displayed as a general. Froissart says of him that "he was as courageous as a lion, and took great delight that day to combat his enemies." Another writer says that the Prince went "into the middle of the throng, and where he seeth most company, there he layeth about him on

Completeness of the victory of the English.

every side." When every banner and pennon of the French had fallen, and no considerable body of them seemed able to rally, and when the pursuing conquerors had also begun to lose order, and to become scattered over the field, the Prince, by the sage advice of Sir John Chandos (who was at his side), ordered his banner to be set up on a high bush, and the trumpets and clarions to sound. The English knights at this signal returned from the pursuit, and collected around a small common tent, which had been brought and pitched for the Prince, close to the standard. They brought with them the numerous prisoners, whom they had taken. The Black Prince, when informed of the capture of the King of France, ordered diligent search to be made for him. The English and Gascon soldiers had thronged round King John and his son, Prince Philippe, and were contending with one another for these royal prizes. Lord Warwick and Lord Cobham at last rescued King John and his son from these disorderly competitors, and conducted the captive sovereign carefully and respectfully to the presence of the Prince of Wales. Prince Edward met him at the entrance of the tent with a low obeisance, and in courteous and deferential lan-

The prince halts and collects his men.

King John brought to the prince.

Courtesy of the Black Prince.

guage endeavoured to console him for his defeat and captivity. He presented a cup of wine to him with his own hand; and when, in the evening, a repast was prepared, to which the principal nobles and knights among the French prisoners, as well as the chief officers of the Prince's army, were invited, Edward placed the King of France and his son Prince Philippe at an elevated table, and waited on them in person. He again endeavoured to comfort his royal guest, assuring John that the King, his father, would show him all honour and friendship in his power, and would arrange the conditions of his ransom in such a spirit, that there should thenceforward always be friendship between them. "In my opinion, sire," added the Black Prince, "you ought to be of good cheer, although the fortune of the day has turned against you; for you have this day acquired the highest renown for prowess; and in your valiant defence you have surpassed all the best knights of your host. I do not say this to flatter you; for all those of your side agree, and award you the prize for valour, if you are willing to bear it." At the end of this speech (say the old chroniclers) there were murmurs of approbation heard from every one; and the French said that the Prince had spoken nobly and truly, and that he would be one of the most gallant princes in Christendom, if God should grant him life to pursue his career of glory.*

* Froissart, ch. clxviii., and Jehan le Bel, vol. ii. p. 319. Jehan le Bel's narrative of this battle must have been written very soon after the event; for he says at the end of the chapter that the terms of pacification between the Kings of France and England were not publicly known when he was writing. This must, therefore, have been before the publication of the Treaty of Bretigni in 1360.

The narrative of the courtesy of the Black Prince was repeated by Froissart in his second edition of his Chronicle (that in the Amiens MS.). He says also there that he had made inquiries about the battle of Poitiers

CHAP II.

1356.

Brilliancy of the victory of Poitiers.

The victory of the Black Prince at Poitiers was justly regarded by his contemporaries as even more glorious than the victory at Cressy. The disparity of numbers was greater; and the French began the battle of Cressy with an army in disorder, and fatigued by a day's march, but the battle of Poitiers commenced early in the morning, and with the French army well arranged.* No part of King Philippe's army fought in the first battle with courage and determination, such as King John's division exhibited in the second. The carnage was far the heaviest at Poitiers. Froissart declares that the flower of the chivalry of France was destroyed there. The number of nobles and men-at-arms slain on the French side is computed at 11,000, and the number of prisoners appear to have been very great.

Important service of the English archers.

At Poitiers, as at Cressy, the English victory was in a great extent due to the good service done by the archers. The old English phrase, "To do yeoman's service,"† probably dates from these wars. But no amount of valour on the part of either the archers or

from good knights and esquires on each side who were in the battle, and also from heralds, whose business it is to know such matters, and make inquiry about them.

Jehan le Bel and Froissart (in both his first and his second editions) state that the English and Gascon followers of Prince Edward strove to emulate their illustrious chief's courtesy. After the banquet in the Prince's pavilion, "each departed to his lodging with the knights and squires he had captured. Those that had taken them asked what they could pay for their ransom, and willingly believed whatever they told them; for they had declared publicly that they did not wish to deal harshly with any knight or squire, so that his ransom should be burdensome, and prevent his following the profession of arms or advancing his fortune."

* Froissart.

† Shakespeare makes Hamlet (act v. sc. 2) say of his penmanship when it saved his life, "It did me yeoman's service." Froissart thus attests the prowess of the English archers at Poitiers, "Trewe to say, the archers did their company that day greate advantage, for they shotte so thick that the Frenchmen wyst not on what side to take heed; and lytell and lytell the Englyshmen wonne grounde on them."—Lord Berners's translation, p. 190.

of the English and Gascon knights, could have gained the battle, if it had not been for the admirable skill of the Black Prince. He proved himself to be a military commander of the very highest order in his selection of his ground, in his first arrangements for defensive battle, and in the prompt energy with which he advanced and crushed his adversary, as soon as the opportunity appeared. If it be true, that, when he marched so far northward from Bordeaux, he had reason to believe that he would meet other English forces, who were to have landed on the northern French coasts, and marched southward, his generalship throughout the campaign is faultless.*

The Black Prince's generalship.

Prince Edward returned with his triumphant army and his captives to Bordeaux, whence he set sail for England, taking King John with him in the following April. The eldest of the French King's sons, who had escaped from Poitiers, assumed the regency of France, and with him the Black Prince before leaving Bordeaux concluded a truce for two years, subject to the approbation of King Edward.

Truce with the regent of France.

It is easy to credit the glowing accounts, which our old writers give, of the enthusiasm, with which the conqueror of Poitiers was welcomed home by his fellow-countrymen, and of the scene of magnificence which was displayed, when he and King John made their state entry into London. The Black Prince preserved the same modesty of demeanour, which had adorned him when he first met his royal captive on the battle-field. While the French King was mounted on a charger conspicuous for its size and beauty, and for the richness of its decorations, Prince Edward rode

Reception of the prince in England.

* See the Prince's letter to the Lord Mayor of London in Mr. Riley's Memorials of London. It is cited and commented on by Mr. Longman, vol. i. p. 396.

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1356.

at his side on a common palfrey, and with nothing, save his own glory, to attract notice or admiration towards himself. King Edward received the royal prisoner from his gallant son, and exhibited the same princely spirit of courtesy, which John had already experienced from the Prince. Every mark of respect usually shown towards a crowned head was scrupulously observed, and the Palace of the Savoy was assigned as a fitting residence for King John, while he paid England the compulsory honour of its being his royal residence.

Honourable treatment of the French king in England.

King Edward at the meridian of his prosperity.

This was the noontide of the glory of Edward III. Two rival sovereigns, David, King of Scots, and John, King of France, were his captives ; prisoners made in honourable and successful warfare. England had become the most powerful and the most renowned State in Christendom ; and the personal fame of King Edward himself as a skilful leader and a gallant knight was unrivalled, save by the fame of one whose laurels must have been more grateful to the King than even his own—the fame of his son, the "Sable Warrior," the victorious Prince of Wales.

He recognises the uselessness of further wars for the conquest of France or of Scotland.

It is a proof of Edward's sagacity, that even in this height of his prosperity he seems to have been aware of the impracticability of either the conquest of Scotland, or the conquest of France. He determined, however, so to use his successes, as to realise from them the greatest possible advantages. The policy pursued by him towards the Scots during the latter portion of his reign has been already described. He sought to obtain from the French large pecuniary supplies by way of ransom for King John, and also the cession of ample territories, chiefly in the south-west of France, to be added to the English provinces there, of which Bordeaux was the capital. These

He seeks a peace with solid gains.

were to be held by Edward, not as feudal vassal to the King of France, but in full and absolute sovereignty. King John was willing to accede to these demands; but King John was a prisoner, and his assent availed nothing without the accord of those who were the actual rulers of France. His eldest son, the Dauphin* Charles (one of the princes who fled from Poitiers) held the Regency of that unhappy country. Such was the misery of France at this period, that her enemies might have expected the acceptance of almost any terms which they deigned to offer. Nearly all the best and bravest of her military chiefs had fallen at Poitiers; and the carnage wrought there among her noblesse and chevaliers had been so great, that the peasantry in many of her provinces had risen against the feudal yoke; and a servile war, the most dreadful of all wars, was added to the scourge of invasion by foreigners. In Paris the royal authority was completely overthrown; and Marcel, the provost of the merchants, was for a time the real sovereign of the capital. The national spirit, which the French showed at this season of adversity, makes it one of the most honourable passages in their history. All agreed in the rejection of Edward's first demands, which, if yielded to, would have amounted to the dismemberment of their country. The Jacquerie (as the insurrection of the serfs was termed) was put down; not without the cruelty which generally accompanies the repression of the savage efforts of the slave to shake off his oppressor;

Miserable state of France at this time.

The Jacquerie. Insurgent Paris.

Spirit of the French nation in maintaining the struggle against England.

* The province of Dauphiné had been ceded to the French crown by Humbert II., near the end of the reign of Philippe VI. King John assigned it to his eldest son Charles, and thenceforth it was held by the eldest son of the King. The counts had been called "Dauphins" from the Dolphin being their armorial bearing. The French Princes, who acquired the county, assumed the title also.

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1359-1360. Prudent policy of the regent Charles.

and which deserves to be regarded as one of the curses to mankind, which are inherent in every system of slavery. The Regent recovered his authority in Paris, and began to display those qualities of sagacity and firmness (not, however, untainted by fraud) which earned for him, when King, the title of Charles the Wise. No more large French armies were raised to form the materials for more English victories in pitched battles; but pains were taken to discipline small bodies under wary as well as brave commanders. Important towns and fortresses were carefully strengthened and garrisoned; and Paris was made secure from any sudden attack.

Edward's ineffectual campaign in 1359 and 1360.

The wisdom of these measures was signalised in 1359 and 1360, when Edward marched vainly through north-eastern France at the head of the most numerous and the best appointed army, that England had ever yet sent forth. The English force was not less than 100,000 strong. It comprised the most distinguished of the chivalry of Edward's dominions, and at its head were the King and the Black Prince. But there was no opposing host for them to fight with; no weak and wealthy towns to capture; no rich district to ravage. They were repulsed from Rheims. They appeared in vain before the gates of Paris. A retreat to the coast over a desolated country, and in weather of unexampled severity, became unavoidable; and many thousands of the English perished from privation and disease.

Vain advance and calamitous retreat of the English.

Successful attack of the French on the English coast.

The vigilance of the French Regent showed itself not only in the successful caution, with which the campaign on land was conducted by his officers, but also in the promptness with which he seized the opportunity of dealing a blow at England by sea. The splendid naval victories gained by the English

over the French at Sluys, and over the Spaniards in the fight off Winchelsea, had filled both King and people with confidence in their maritime superiority over all enemies; and that confidence (as too often is the case) degenerated into contemptuous carelessness. While the resources of the kingdom were taxed to the utmost, in order to pour army after army into France, the Navy was suffered to decay, and no heed was paid as to how the officers charged with the collection of ships and men performed their duty. Stores were wasted and not replaced, and the fortifications of the seaports were left without repairs. The French Regent had information of this negligence, and determined to profit by it. A considerable force was rapidly fitted out in the French ports; and when tidings came to England of this fleet being at sea, with troops on board, the measures taken for defence show the miserable condition into which our navy had fallen.* No fleet could be sent to sea to meet and crush our foes as they came over the Channel; but hurried orders were sent round the coast to withdraw our vessels from the enemy's reach by hauling them far up on land; and a general array of all men fit to bear arms was commanded for the protection of the maritime counties. This did not prevent the French from capturing and burning the then important town of Winchelsea. Their fleet anchored in the port there without resistance on the 15th of March, and landed a considerable force of soldiers, who easily made their way into the town, which they pillaged and set on fire. A large number of the inhabitants were slaughtered, and many were carried away prisoners. The French spread their devastations far over the adjacent country, before any force was collected to check them.

Neglected state of the English navy.

Alarm in England at the expected attack by the French squadron.

The French burn Winchelsea, 1360.

* See Sir Harris Nicolas's Hist. Royal Navy, vol. ii. p. 152.

CHAP. II.

1360.

Distress of France.

Still, with whatever spirit the French maintained the struggle against King Edward, their sufferings were so great, that some respite at almost any price was necessary. The English King also had become willing to treat on more moderate terms for peace, since the failures of his campaign in 1359-1360. And, although the miseries caused to England by the war were not comparable with those, which it had brought upon France, the English nation felt severely the burden of increased taxation, and the decline of commerce. The financial position of King Edward himself, who had long been raising loans in every possible quarter, was becoming daily more and more embarrassed. Negociations were re-opened; and on the 8th of May, 1360, the Commissioners of France and England signed the treaty called, from the place of its execution, the Treaty or the Peace of Bretigny. Its chief terms were the cession of Guienne, Poitou, and Gascony, in the South, and of the County of Ponthieu and of Calais, and a small district adjacent to it, in the North, to the King of England, to be held by him in full sovereignty;—the renunciation by Edward of his claims to the crown of France, and of all title to Normandy, Touraine, Anjou, and Maine;—and the fixing the ransom of King John at three millions of gold crowns. A specified number of French nobles and of burghers of the chief French cities were placed in Edward's power as securities for the due payment of the money; and King John was restored to liberty and his own kingdom at the end of almost exactly four years after his defeat by the Prince of Wales.

Negociations renewed.

Treaty of Bretigny.

King John returns to France.

The Treaty of Bretigny was styled by some contemporaries "the Great Peace;" but it was in reality little more than a hollow truce. French and English

1360-1364.

troops continued to fight against each other in Brittany, where the war between the two claimants for that Duchy was maintained until 1364, when one of the rivals, Charles de Blois, fell in the obstinate battle of Auray, which was won for Montfort by Sir John Chandos and Sir Hugh Calverly, over the two best French captains of the time, Duguesclin and Olivier Clisson. King John's ransom remained unpaid year after year; and the acting rulers of France, who negociated the Treaty of Bretigny, must have known at the time the impossibility of raising so large a sum in a country so desolated and exhausted as France. But however probable it may be that the Dauphin Charles in reality intended no more than to obtain a cessation of hostilities, and never wished for a permanent pacification upon such terms as those stipulated at Bretigny, no reproach of insincerity can rest on the fame of King John himself. One of the hostages for the payment of the ransom money was John's son, the Duke of Anjou. This Prince broke his parole, and returned to France. King John forthwith repaired to England and surrendered himself into custody, as an unransomed prisoner. The noble words used by him to some of his Council, who endeavoured to dissuade him from this proceeding, were these :—"If honour is to be banished from every other place, it must find a sanctuary in the breast of kings." He was received by Edward with well-merited respect and courtesy; and died here, a voluntary captive, on the 8th of April, 1364.

No complete pacification.

Battle of Auray in Brittany, 1364.

King John's ransom unpaid.

He voluntarily places himself again in the custody of the English.

CHAPTER III.

Expedition of the Black Prince to Castile—His Victory at Navarette—His illness—War with France resumed—Ill success of the English—The Black Prince storms Limoges—He returns to England—Disputes of parties in England—Dotage of the King—William of Wykeham—Wyclif—Lancaster—The King's Ecclesiastical Ministry displaced—English Fleet defeated by the Spaniards—Losses in France—Lancaster's power in England through Alice Perrers' power over King Edward—Reform movement headed by Black Prince—Ministers impeached—Death of Black Prince—Lancaster and Alice Perrers regain power—Persecution of William of Wykeham—Wyclif charged with heresy—Death of Edward III.—Progress of the Constitution during his reign—Patriotism of leaders of the Commons—System of Taxation—Judicial functions of Parliament—The King's Council—Ordinances—Statute of Treasons—Justices of the Peace—Statutes of the Staple—Other measures respecting Commerce—The Guilds—State of Trade—Ecclesiastical History—Conflict against Papal exactions—Statutes of Provisors—Attacks on the higher clergy of the realm.

CHAP. III.

1361.

Ravages of France by "the Companies."

One of the sources of dispute between France and England after the Treaty of Bretigny arose from the ravages, which "the Companies" committed in the first-named kingdom. "The Companies" were originally made up of military adventurers, whom the renown of the English King and the high pay offered by him had drawn together under his standard, and who, when the treaty was made, preferred carrying on war on their own account to disbanding and returning to the monotony of a peaceful life. They received into their ranks every lawless adventurer of every nation, and their aggregate numbers are said to have amounted at one time to forty thousand men. They defeated the forces which the French King sent against them; and they disregarded the proclamations, by which the English King required them to disband, and to surrender to the King of France the

fortresses, which they occupied. Charles V. (as the late Dauphin had become on the death of King John) believed, or pretended to believe, that Edward secretly encouraged "the Companies," and on this and other pretexts he delayed the fulfilment of the conditions, which were to be performed on the French side according to the treaty. In 1365 an opportunity seemed to offer itself for removing "the Companies" from France, and for putting an end to this cause of dissension between King Charles and King Edward; but in reality it led to the resumption of open warfare. A civil war was being waged in Castile between the King of that country, Pedro the Cruel, and a party of his subjects, whom his tyranny had driven into revolt, and who were headed against him by his illegitimate brother, Don Henry of Trastamara. "The Companies" were persuaded to march under the command of the celebrated French leader Duguesclin across the Pyrenees to the assistance of Don Henry. With their aid he easily defeated and dethroned King Pedro, who sought refuge and assistance at the Black Prince's court at Bordeaux. The Prince of Wales had been appointed by King Edward Prince and Viceroy of the now extensive English dominions in the South of France, and he kept more than kingly state there. Adventurous aspirants for martial fame, and suppliants for redress of wrongs, resorted from every clime to the victor of Cressy and Poitiers. He saw in Pedro a dethroned and banished king; and, without entering into the merits of the dispute between the Castilian sovereign and the Castilian people, he determined to restore him by force of arms. His enterprise had all the brilliancy, but little of the real utility of success. In a great battle at Navarette, in Spain, he utterly overthrew Don Henry, Duguesclin, and their

The Companies are led into Spain by Duguesclin, 1366.

They dethrone Pedro of Castile, who asks help of the Black Prince at Bordeaux.

The Black Prince restores Pedro, 1367.

CHAP. III.

1367.

Ingratitude of Pedro.

forces, and replaced King Pedro in full dominion on the throne. But Pedro was as destitute of gratitude and fidelity to his foreign benefactor, as of clemency and justice towards his own subjects. He evaded payment of the money, which he had engaged to furnish for the expenses of the expedition; and the Black Prince, after lingering for a time in Spain, returned to Bordeaux, with an army weakened by disease, and bearing in himself the seeds of a malady, which enfeebled his frame and clouded his spirit, during the few remaining years of his illustrious life. The pecuniary embarrassment, in which he had been placed by the cost of the Castilian expedition, and by King Pedro's breach of faith, induced him to impose new taxes on his Gascon subjects, which led to murmurings on their part, and caused some of them to appeal to King Charles V. for redress. The reception of such appeals by the French King was a flagrant breach of the Treaty of Bretigny, by which the territories now ruled by the Prince of Wales, under his father, had been ceded in full sovereignty to the English crown. But Charles judged that the time was now come, when he might safely discard the pretended pacification, and renew an open war against England, with a fair prospect of success.

The Black Prince returns to Bordeaux with broken health.

Pecuniary difficulties of the Black Prince.

Increased taxation and growing discontent in Gascony.

The Gascons appeal to Charles V., who breaks the treaty of Bretigny by entertaining their appeal.

Alliance of Charles of France and Henry of Castile against Edward.

Charles summons the Black Prince to appear as his vassal, February, 1369.

Charles formed an alliance against the English with King Henry of Castile, who had regained that kingdom soon after the Black Prince had left Spain. After skilfully and secretly making his preparations for war, and after fomenting by all possible means the disaffection against their English rulers, which was growing up among the Gascons, Charles summoned the Prince of Wales to appear before the King of France at Paris, and to answer complaints, which Gascon subjects of the King of France had preferred against him. Prince Edward indignantly answered that he would appear

1369.

at Paris, but it should be at the head of 60,000 men. Open war was now proclaimed, and the French troops, which had already been organised and stationed in convenient positions, entered the territories that had been ceded to the English by the treaty; and, aided by the native population, made rapid progress in their re-conquest. At the same time extensive naval preparations were made in all the French ports. A powerful fleet of Spanish ships was fitted out by King Henry of Castile to co-operate with the French squadrons; and, as the naval defences of England had been entirely neglected during the peace, this country itself was in serious peril of invasion.

Open war resumed.

French troops invade the English territories in France.

Naval preparations of the French and the Spaniards.

King Edward convened his Parliament. He addressed them on the perfidy of the French adversary, and with their advice he resumed the title of King of England and France. A powerful army was equipped, and placed under the command of Edward's son, the Duke of Lancaster. Lancaster landed at Calais, and advanced as far as Terouenne. He was encountered by the French King's brother, now Duke of Burgundy, the Philippe le Hardi, who had shown such gallantry in the battle of Poitiers when a mere boy. Duke Philippe led an army far outnumbering the English; and the Duke of Lancaster took up a good defensive position, and awaited the attack, which he fully hoped the French would make in repetition of their conduct at Cressy and Poitiers. But the French King's orders to avoid general battles were explicit and peremptory. The Duke of Burgundy, after having held the English in check for some time, retired, and dismissed his forces. The English made some unimportant ravaging marches in the north of France; and then the Duke of Lancaster disbanded his army and returned to England.

King Edward resumes the title of king of France, June 3, 1369.

A superior French army confronts the English, but will not engage.

Both armies retire and disband.

CHAP. III.

1369.

Death of Sir John Chandos, December 31, 1369.

In the winter, on the last day of the year 1369, the English suffered a heavy loss in the death of their veteran hero, Sir John Chandos, whose life was thrown away in a rash and useless skirmish at Lussac, by the river Vienne. In consequence of the wise and prudent policy observed by the French in avoiding pitched battles, the war became little more than a series of skirmishes, surprises, and sieges of isolated posts ; and the zeal of the population in favour of the French gave them great advantage in operations of this nature. The English began also now to suffer from the want of such commanders, as headed them in the former scenes of the war,—leaders not only personally brave, but also sage and skilful, and possessing a complete ascendancy over those who marched beneath their banners. King Edward himself, after the death of Queen Philippa, in 1369, appears to have sunk rapidly under the sway of mistresses into senile sensuality, and imbecility of both body and mind. His illustrious son, the Black Prince, lay at Bordeaux, wasted away by his increasing malady, which appears to have been a chronic low fever. Chandos was gone. The gallant Hainaulter, Sir Walter Manny, who for forty years had been one of England's chief Paladins, was sinking towards the grave. Of those who retained life and vigour, the first in importance was the King's son, John of Gaunt, Duke of Lancaster, who after 1371 bore also the title of King of Castile. He married in that year the eldest daughter of Don Pedro (who had been killed in civil war), and in her right he styled himself King of Castile ;—an assumption of titular royalty, which inevitably made the actual King of Castile, Henry of Trastamara, more and more zealous in enmity against England, and in co-operation with the King of France. Lan-

Deficiency of generals on the English side.

Dotage of King Edward III.

Sickness of the Black Prince.

Chief English leader, the Duke of Lancaster.

caster was a bold impetuous man, not without considerable intellectual accomplishments. His patronage of Chaucer, and his support of Wyclif, have gained favour for him from many modern writers: but he was essentially a selfish unscrupulous politician; and, as a general, and as a statesman in foreign affairs, he showed neither superior discernment nor grasp of mind. Knolles and other commanders, who also survived, were brave soldiers and good officers of division, but incompetent to plan a war, and of little strategic ability in the conduct of a campaign. On the French side there were a number of captains, long trained in the severe school of adversity, and who at last combined caution and skill with their national gallantry. France also had in Duguesclin a military genius of very high order, who was far superior to all his contemporaries in the absence of the two royal Edwards of England, and of Chandos.

Improvement of the French generals.

Duguesclin.

In 1370, Sir Robert Knolles led an English army from Calais to the very gates of Paris, plundering whatever had not been removed from his line of march. No army encountered him; but, when he was obliged by want of supplies to retire, Duguesclin followed him closely, and took advantage of the dissensions and disorders of the English to deal them a severe blow. Sir John Mustreworth was at the head of a body of troops, which he kept at a little distance from the main body under Knolles. Duguesclin surprised him, and killed or captured nearly the whole division. Knolles hastened his retreat northward with the other portion of the army, and soon disbanded what remained of it.

Fruitless invasion of Northern France by Sir R. Knolles.

Duguesclin destroys part of the English army on its retreat.

In the south the Black Prince, in 1370, achieved his last success by the recapture of Limoges; but deeply sullied his fame by the massacre of the inhabitants of

Limoges revolts from the prince to the French.

CHAP. III. 1370.

that city. Limoges had been surrendered to the French in the summer of 1370, by its bishop, whom Prince Edward had appointed as its governor. The surrender was made without the opposition, apparently with the concurrence, of the citizens. No English garrison had been placed in it, as Edward had trusted to the friendship which he believed to exist between himself and the Prelate in command, and to the supposed loyalty of the inhabitants towards the King of England. The news of the defection of Limoges roused him in wrath from his bed of sickness. He swore by the soul of his father that he would have this town back again; that he would lay his hand to nought else till Limoges was won, and that its people should pay dearly for their perfidy. Too ill to mount on horseback, he was borne in a litter amidst the troops, that he summoned round him against the devoted city. His spirit sustained the failing body throughout the month's siege that ensued; and he directed in person the skilful engineering operations, by which the walls were mined and a breach effected. Under their favourite Prince's command the English troops soon stormed the town, and commenced the indiscriminate havoc of every living being that they encountered; not, as often happens in the storming of cities, through the insubordinate licence of the infuriated soldiery, but in accordance with orders which they had received. None were spared; save only a group of French knights, who had set their backs against a wall, and were fighting valiantly and obstinately against far out-numbering assailants. The Black Prince, as he was carried in his litter along the slaughter-reeking streets, saw and admired the knightly prowess of this little band. He gave orders that their lives should be spared; but to all others he was merciless. Even Froissart, who seldom

Violent anger of the Black Prince.

Limoges besieged by him.

Stormed.

Massacre of the inhabitants.

has a word of sympathy for the sufferings of any not of noble or gentle blood, is moved when he narrates this scene; and exclaims, "Then you might have seen the plunderers run through the city killing men, women, and children as they had been commanded. You would have seen it with great pity; for men, women, and children threw themselves on their knees before the Prince, crying 'Mercy,' but he was inflamed with so great wrath that he would not hearken to them. Neither sex nor age was heeded, but all were put to the sword as they were met, and even those who were not at all blameable. There was no heart so hard but wept at the great mischief that was done, for about 3000 men, women, and children were that day destroyed. May God keep their souls, for they were veritable martyrs." *

Sympathy of Froissart with the population of Limoges.

The Prince gave an unfortunate proof of the importance which he attached to the possession of Limoges. King Edward, in the latter part of 1370, made a treaty of alliance with Charles the Bad, king of Navarre, whose co-operation against the French would at that period have been of great value to England. The Navarrese king had for many years taken an uncertain and unprincipled part in the wars between France and England. The position of his territories in Normandy, as well as that of his territories in the south, enabled him to assist the English materially; and at this crisis of the war the English

Negociations between England and Navarre

* More than one modern historian has pointed out how the storm of Limoges illustrates the worst feature of chivalry in its contemptuous disregard of all that it deemed the lower orders. The knights, who used their knightly weapons well and bravely, were admired and spared by their knightly enemies; a weaponless and suppliant population was slaughtered without mercy. There is considerable truth in this observation. But it is also to be remembered, that the Black Prince may have regarded the French knights as open and honourable enemies, whereas he considered the people of Limoges to be traitors.

CHAP. III.

1371.

needed every assistance. Part of the terms of the treaty made in 1370 required that Edward, "Prince of Aquitaine and Wales," should cede the city of Limoges to the King of Navarre. The treaty was made conditional on the Prince's assent to it. Prince Edward refused to give up the city which he had reconquered; the treaty became a nullity; and England lost the aid of the King of Navarre.

broken off by Prince Edward's refusal to transfer Limoges to the King of Navarre.

The Black Prince returns to England, January, 1371.

Early in 1371 the Black Prince returned to England in the hope of regaining health in his native climate. His malady had increased so rapidly on him during the last part of his vice-royalty in Aquitaine, that at last he put to sea, while his eldest child, a boy named Edward, who had sickened and died at Bordeaux, still lay unburied. The Black Prince returned to England with his wife, and his second son, Richard, who had been born at Bordeaux in 1366. His life was prolonged for a few years; but he never recovered vigorous health, and he remained in almost total seclusion at his castle in Berkhampstead, until the last half-year before his death, a period in which he achieved his truest honours by his exertions as an administrator and as a constitutional reformer.

Paramount importance of English internal history during the last five years of Edward III.'s reign.

The growth and development of parties in both Church and State, and the course of domestic politics in England during the last five years of Edward III.'s reign, are so important in themselves, and so much more interesting than the contemporaneous military transactions, that it is advisable to pause here and examine the state of England and the English, after the return of the Black Prince from Aquitaine.

Imbecility of the king.

Influence of William of Wykeham.

King Edward was losing rapidly all self-reliance and decision of character. The most influential of his ministers was William of Wykeham, Bishop of Winchester. This truly great man was born in 1324, at

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His career.

Wykeham, in Hampshire. He entered the King's service very early in his life, and acquired Edward's favour and confidence by his general prudence and ability as a practical man of business, and by the skill and genius which he displayed as a surveyor and as an architect. The greater part of the buildings of Windsor Castle was erected under his orders, and he also built for the King Queenborough Castle and other important and stately edifices. He became a churchman in middle life; and then received ample and substantial proofs of the King's esteem in the ecclesiastical preferments that were showered on him.* The See of Winchester was conferred on him in 1367. Froissart (who was at this period well acquainted with the English Court, and was himself employed in Queen Philippa's service) says of the splendid ecclesiastical statesman, "Then there was a priest about the King of England, who was so great with the King, that all things were done by him, and without him nothing done."† The highest offices of state were conferred on William of Wykeham by his royal master with equal liberality. Besides being employed as Royal Commissioner on many special occasions, he was in 1364 made Keeper of the Privy Seal, and Secretary to the King of England. In 1367 he was made Lord Chancellor. William of Wykeham was exposed during his political career to the attacks of strong and unscrupulous enemies. He was also regarded with dislike by the most powerful writer of his age, John Wyclif,‡ but no

* They take up five pages in Lowth's Life of Wykeham, p. 22, *et seq.*

† Froissart. Lord Berners' Translation, p. 364.

‡ The following passages in Wyclif's works are pointed out by Dean Milman and Dean Hook as manifestly levelled at William of Wykeham:—"Neither prelates nor doctors, priests nor deacons, should hold secular offices, that is, those of chancery treasurer, privy seal, and other such temporal offices in the exchequer."

"Benefices, instead of being bestowed on poor clerks, are heaped on a kitchen clerk, or one wise in building castles, or in worldly business."

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one succeeded in bringing home any charge of fraud, or immorality, to the great chancellor-prelate. His memory is dearest to us on account of his having been the Founder of Winchester College, the earliest of our great Public Schools. It is indeed not too much to term William of Wykeham the Founder of the Public School system of English education.

If we consider him in the character of a statesman, we must not judge him merely by the administration of public affairs prior to 1371, in which he took part, but by his whole political career, which did not close before the reign of Henry IV. We shall then find ample reason to admire him: and it is right to bear specially in mind the eulogy, which his modern biographer has cited from the writings of one, who seems to have been a contemporary of the great Bishop of Winchester, that "While he pursued with zeal and fidelity the interests of the King, he did not forget or disregard the ease and happiness of the people, but strove always to protect them from taxation, and exaction, and other oppressions."*

Public jealousy of the political power of great church-men.

The important post of Treasurer was held by another prelate, the Bishop of Exeter. The wealth and pomp of the great dignitaries of the Church, their predominance among the royal councillors, and their hold upon the chief offices of state, began now to excite more and more feelings of jealousy and dislike not only among the lay nobility, and the common lawyers, (who coveted these preferments for themselves,) but also among the general mass of the nation. The

* "Totoque tempore sui regiminis, tam temporibus Edwardi quam Ricardi, ipsorum utrique obsequiosus extitit et fidelis; ac populo regni favorabilis et plurimum gratiosus, ipsum a subsidiis et exactionibus ac aliis oppressionibus præservans continue."—MS. Coll. Winton, cited in Lowth's Life of William of Wykeham, p. 310, n.

For the date and authorship of this MS. see Lowth's preface, *ibid.* p. xix.

growth of a deeply-rooted and wide-spread spirit of ecclesiastical reform was mainly caused by the teaching, the preaching, and the writings of one great man, the greatest man that England—that all Europe produced for many a century, John Wyclif.

Influence of John Wyclif.

John Wyclif was born about the year 1324, near Richmond, in Yorkshire. We know nothing in detail of his education or his early career. The first definite fact respecting him is that he was master or warden of Balliol College, Oxford, in 1361.* He was instituted in that year to the Rectory of Fylingham, in Lincolnshire.† He took the degree of Doctor of Divinity in 1363.‡ He was one of the King's chaplains in 1366.§ We shall have occasion to consider the life and the character of Wyclif much more fully, on coming to the reign of the son of John of Gaunt, and to the attempts then made by the Legislature and the Government to put down religious reformation in England. For the present it is sufficient to observe that Wyclif was pre-eminent among his contemporaries for his learning and his skill as a Schoolman and a Theologian; that he exercised still greater power, by means of his fervour and earnestness in preaching, and by the clearness and the force with which he both spoke and wrote his native English.

Eminence of Wyclif as a schoolman.

His power as a preacher and a writer.

His command of the English language.

Wyclif not only surpassed all his contemporaries and all his predecessors among the English clergy in what we may term the national animosity against the aggressions of Papal Rome, but he also extended his hostility to the wealth, the pomp, and the temporal authority of the higher clergy of the English Church. He thus became the ally, and the great literary champion of the

His attacks on the wealth and on the temporal pursuits of the higher clergy.

* See Mr. Shirley's Introduction to the Fasciculi Zizaniorum, Rolls Collection, p. xiv.

† Shirley's Introduction to the Fasciculi Zizaniorum, Rolls Collection, p. xv.

‡ *Ibid.* p. xvii. § *Ibid.* p. xix.

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large and increasing party among the English nobles and other laymen, who desired to put an end to the political predominance of ecclesiastics. This party was headed by the King's third son, John of Gaunt, Duke of Lancaster, a prince of considerable talent, and of daring temper, but of very little principle, and utterly unscrupulous as to the means which he employed to effect any favourite purpose. Lancaster appears to have regarded the Bishop of Winchester, William of Wykeham, with intense rancour, as a personal enemy. This was observed by their contemporaries; and a strange story obtained some amount of circulation and credence about Wykeham being the possessor of State secrets, which, if revealed, would prove John of Gaunt to be a changeling, and no real member of the royal family of England.*

His alliance with the Duke of Lancaster.

The Duke's enmity to William of Wykeham.

Wykeham's administration overthrown, 1371.

The Duke of Lancaster was in Aquitaine in 1371, when a successful attack on the Bishop of Winchester's administration was made by the lay opposition. But those who conducted it were the Duke's habitual confederates and partisans; there seems to be substantial accuracy in the language of those historians, who speak of John of Gaunt driving the Bishop of Winchester from power. Wykeham resigned the Great Seal in March, 1371; and the clerical Treasurer and the clerical Lord of the Privy Seal were also obliged to give up their offices.

The Commons join in this movement against the ecclesiastical politicians.

The Commons in Parliament co-operated zealously with the Earls and Barons in this overthrow of the King's Sacerdotal Ministry; and there is good proof that the King's Government had been carried on for some years in such a manner, as naturally to create

* See the curious story told by the Monk of Evesham in Anglia Sacra, i. 318; and see Mr. Shirley's comment on it in his Introduction to the Fasciculi Zizaniorum, Rolls Collection, p. xxv., and see Lowth's Life of William of Wykeham, p. 143, n.

great dissatisfaction, especially among the commercial classes of the community. The Rolls of the same Parliament, that petitioned the King against giving high offices of state to the clergy, contain a remarkable number of petitions by the commons, complaining of grievances, particularly of vexatious and oppressive practices by the King's officers.* The most important of all is their emphatic remonstrance against the gross neglect of the navy of England, which had existed for some years; and against the ruinous condition, into which the defences of the ports and maritime towns had been suffered to fall. The petition specifies oppressions, which had been practised upon merchants and ship-owners; and it complains of the arbitrary disregard and of the taking away of the franchises and charters, by means of which the seaport towns had formerly prospered. The petitioners affirm that, in consequence of misgovernment, a third part of the seaport towns had become desolate and uninhabited; that the navy was almost annihilated; that there were no resources for reconstructing it; and that the merchants throughout the realm were brought to such poor estate, that they had scarcely the means of sustenance.

Many grievances complained of.

Neglect and decay of the naval power of England.

Complaints of oppressions of merchants and ship-owners.

The King, in reply to this petition, promised that with the advice of his Council he would remedy these evils. Another petition, which requested that the citizens and burgesses of every town should have a right to fortify it at their discretion, was refused.†

This Parliament voted the large subsidy of fifty thousand pounds, to be levied on the parishes of the kingdom, at an average contribution of twenty-two shillings and threepence by each parish. This sum was fixed on a calculation of the number of parishes

Large subsidies voted to be levied on the parishes.

* See Rot. Parl., vol. ii. pp. 304—308.

† Rot. Parl., vol. ii. p. 207.

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Erroneous calculation of the number of parishes.

in England, which proved to be marvellously erroneous. They had been reckoned at five times their actual number. On this being discovered (which was not till after the Parliament had been dissolved), the average contribution from each parish was raised to a hundred and sixteen shillings by a "Great Council," which the King summoned, consisting of four bishops, four abbots, thirteen temporal peers, and also of one out of each two knights or burgesses that had been returned by the respective counties and boroughs to the late Parliament.

Care was taken by the lay statesmen, who now were in power, to make this taxation press upon the clergy. As a general rule, the subsidies voted by Parliament did not affect the clergy, who taxed themselves in their Houses of Convocation for the King's benefit. But the Council, which was summoned after the Parliament of 1371 to amend the assessment on parishes of the grant of fifty thousand pounds, ordered that all church lands, which had passed into mortmain since the eighteenth year of the reign of Edward I. should contribute to that tax. It is also stated that small livings, which had previously been exempt from all taxation, were made to contribute to raising the money thus granted.*

The Archbishop of Canterbury preaches against the taxation of the clergy.

Wyclif supports it.

The great churchmen were naturally alarmed at these attacks; and Whittlesey, Archbishop of Canterbury, preached at St. Paul's against the right of the State to tax the Church. But the King's ministers persevered. Wyclif supported them energetically by his preaching and by his pen. His great treatise,

* Walsingham, Hist. p. 312 (Rolls edition), and see p. 314, where he says of the treasure lost on board of the Earl of Pembroke's fleet, "Pecunia supradicta, quia collecta fuerat de sanctâ ecclesiâ procut fertur, fuit Domino Regi minime fructuosa."

"On Dominion," is assigned by the best authority to this date; and in it (as in other writings) he broadly maintains that it is the right, and that it is the duty, of the State to take the temporal possessions of the clergy for the defence of the realm, when the public safety requires it.*

An English fleet fitted out.

The means were thus obtained for equipping an English fleet in the following summer. The Earl of Pembroke (who was King Edward's son-in-law) was appointed Lieutenant of Aquitaine, and set sail in command of this fleet in June. Pembroke's design was to land at Rochelle (which was then garrisoned by an English force), but when he arrived off that port on the 22nd of June, he found the Castilian Admiral Bocanegra waiting to intercept him. The Spanish fleet is said to have consisted of forty large ships and thirteen barges, and to have been far superior to the English in the number of crews and in equipment. A sea-fight of two days followed. The English suffered severely on the first day, but renewed the combat bravely on the second. But their valour, though it might redeem their honour, only increased the loss on the English side. All Pembroke's ships were destroyed or captured; and a large sum of money, which was being sent over for the pay of the English troops in Guienne, was lost on board one of the sunken vessels.

It is defeated and destroyed by the Spaniards.

Repeated and strong remonstrance of the House of Commons as to the state of the navy.

They remind the

This heavy blow to our naval power was made the first subject to which the House of Commons attended, when the Parliament met in the following November. They granted a subsidy for naval supplies; and at the same time addressed King Edward, telling him that "twenty years since, and always before that time, the navy of the realm was so noble and so plentiful in all

* Shirley's Introduction to Fascic. Zizan., p. xxi.

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ports, maritime towns, and rivers, that the whole country deemed and called our Lord 'King of the Sea,' and he and all his country were then more dreaded both by sea and land on account of the said navy; and now it was so decreased and weakened from divers causes that there was hardly sufficient to defend the country in case of need; whence there was great danger to the realm, the causes of which were too long to set forth; but the principal reason was that in time of war ships were often impressed a quarter of a year or more before they left the port, without the payment of the mariners during the whole of that time, or any remuneration being made to the owners of the ships for their equipment and expenses, of which they prayed a fitting remedy, as an act of grace."*

King of the old times when the King of England was "King of the Sea."

The King replied that his will was that the navy should be maintained, and kept with the greatest ease and advantage that could be.

Several squadrons were sent to sea in the interval between this address and the close of Edward's reign, which sometimes achieved slight successes; but our naval records of this period are filled chiefly with accounts of preparations for defence against invasion; and show too clearly the low ebb to which our naval glory had sunk, after having reached such a proud height in the years of "Sluys" and "L'Espagnols sur Mer."

Advantages gained by the French on land.

At land, the French, while carefully avoiding general battles, carried on an active and successful warfare of enterprises, small if considered singly, but very important in their aggregate effect. One final great effort was made by the English in 1373 to recover their lost ascendancy. A splendid army was collected, and placed under the command of the Duke of Lancaster,

1373. Invasion of France by the Duke

* Rot. Parl., vol. ii. p. 311.

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who had returned from Acquitaine to England early in the preceding year. Lancaster landed at Calais, and marched with his 3000 English men-at-arms, his 6000 English archers, and numerous other bodies of troops, some English, some foreign, right across France from Calais to Bordeaux, without a battle, without a siege, with much devastation of French territory, but with so much suffering and loss to his own army through privation and disease, that he brought into Bordeaux a mere wreck of the magnificent host with which he had marched out of Calais. He returned to England in the following spring. The French continued to gain advantages; and before the close of 1374, out of all the continental territories that Edward III. had inherited or conquered, nothing remained in English hands except Bordeaux, Bayonne, and a few unimportant places on the River Dordogne in the south. The town and port of Calais were all that remained in the north. There were several ineffectual attempts to conclude a regular peace; but truces were made and renewed from time to time during the brief remainder of the reign of Edward III.

of Lancaster and a splendid English army.

Utter failure of the expedition.

Loss of nearly all the English possessions in France.

Truces with the French.

At home the strife of parties was maintained with increased animosity. In order to secure his own ascendancy, and to keep William of Wykeham away from Edward III., the Duke of Lancaster leagued himself with Alice Perrers, one of the late Queen's bedchamber women, who was now established in the Court as the King's mistress. Even during the lifetime of Queen Philippa, Edward's profligacy had been notorious; and popular reports charged him with having often allowed the influence of female favourites to retard and pervert the progress of State affairs.* After the death

Strife of parties at home.

Domination of the King's mistress, Alice Perrers.

* See Political Poems and Songs, Rolls Collection, pp. 159, 171, 184; and the observations of Mr. Wright in his Introduction, pp. xxxvii, xl, xliii.

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Profligacy of Edward III.

of his Queen in 1369 he sank completely under the degrading domination of an artful and rapacious adulteress. She paraded herself at Court in the late Queen's jewels. She interfered with insolent ostentation in matters of government, and in the administration of justice. Her favour was courted and purchased by all, who wished to acquire wealth by official peculation, or aggrandisement by official promotion.

Dotage of Edward III.

The King, who, although advanced in years, had by no means reached the period when the intellect and the will generally lose their energies, seems to have sunk prematurely into a state of dotage.

National discontent at the military reverses in France and at domestic misrule.

The continual progress made by the enemy in wresting away from the English those possessions in France, which had been won by the King and the Black Prince in the earlier part of Edward's reign, increased the national discontent, which domestic misrule had created.

The Black Prince heads an opposition to the misgovernment of Lancaster and Alice Perrers.

The Black Prince now collected his remaining energies to rescue his father and his country from this state of degradation. He left his retirement at Berkhampstead and took up his abode at Westminster in 1376, when the Parliament assembled there, which from its bold and salutary measures of reform during its very brief session obtained the honourable title of "the Good Parliament."

The "Good Parliament."

The Commons chose as their Speaker Sir Peter de la Mare, a knight of Herefordshire and steward to the Earl of March, who co-operated zealously with the Black Prince.

Sir Peter De la Mare, Speaker of the Commons.

He attacks the government.

De la Mare in the name of the Commons denounced at a conference with the Lords the profligate wastefulness of the Government, and urged that the production of an account of past receipts and expenditure should be made a condition precedent to the grant of further supplies. According to one contemporaneous writer, the Duke of Lancaster was so incensed at this

attack on what was really his administration, that he designed to overbear by force the leaders of the Commons, but was dissuaded by his friends, who represented to him that these reformers were acting with the concurrence of the great body of the nobility, and of "Lord Edward the Prince, who gave them his counsel and aid effectually."* Lancaster thought it prudent to yield for a time; and he surprised the Commons by a show of gentleness and of acquiescence with their wishes. The Commons proceeded to address the King, praying him to guard against misgovernment for the future by strengthening his Council. They prayed him to appoint certain great lords and prelates to the number of ten or twelve, who were to be continually near him, and without whose advice and consent no important business should be determined. This was agreed to; and the Bishop of Winchester, William of Wykeham (who was the especial object of the Duke of Lancaster's hostility), was one of the body thus appointed, which it is hardly an exaggeration to describe as a Commission of Regency. Courtenay, Bishop of London, another antagonist of Lancaster, was of this Council, as was also the Earl of March, Sir Peter de la Mare's patron. The Duke of Lancaster and all his partisans were excluded.

Address of the Commons to the King.

A council appointed to be in constant attendance on the King.

The reformers now proceeded to do more than complain of the ministers of past misgovernment. They established the important principle that such misdemeanants are punishable by Parliament. They prepared articles of accusation against the Lords Latimer and Nevill, and against four commoners named Lyons, Ellis, Peachy, and Bury, for extortionate and fraudulent misdemeanor. The Commons had on a previous

The House of Commons impeach Lord Latimer and others.

* Tract in Harleian MS., No. 6217, cited by Mr. Longman, vol. ii. p. 347, n., and in Lowth's Life of William of Wykeham, p. 110, n.

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occasion in this reign brought charges against Sir John Lee for malpractices as Steward of the Royal Household; but the charge against Lee was taken up by the Great Council. The articles against Latimer, Nevill, Ellis, Peachy, and Bury were solemnly tried and adjudicated on by the House of Lords, with the Commons for accusers, thus establishing the main principles and procedure of Parliamentary impeachment. Lyons attempted to screen himself from punishment by sending a very large sum of money and other gifts to Prince Edward, who was known to be the great adviser and supporter of the leaders of the House of Commons in their bold but most righteous acts of justice. The Black Prince rejected the bribe; and the offenders were found guilty by the Lords, and sentenced, some to expulsion from office, and some to fine and imprisonment. The reformers next obtained the passing of a statute forbidding women in general and Alice Perrers specially by name to intermeddle corruptly with the administration of justice.

The House of Lords try the accused on the prosecution of the Commons.

Act passed against the perversion of justice by the King's mistress.

But while these and other salutary measures were being carried into execution, the Prince, whose enfeebled system had been probably overtaxed by the exertions and excitement of the Parliamentary struggle against his father's unworthy favourites, sank almost suddenly beneath an aggravated attack of the terrible malady with which he had been long afflicted. He survived long enough to show the calm courage of a hero, the fervent piety of a sincere Christian, and the affectionate solicitude of a father and a friend for the welfare of those whom he left behind him. Neither the Black Prince, nor any of those who ministered round his death-bed, seem to have regarded the massacre of the helpless populace of Limoges, as one of the sins, for which it behoved him to ask special forgiveness from

The Black Prince sickens and dies.

His death-bed.

Limoges thought then no blood-stain.

God and man. If the memory of Limoges flitted across the brain of the dying chief, it was probably like the memories of Cressy and Poitiers, in gleams of past earthly glory, to be dismissed without regret, but not without patriotic satisfaction, from the spirit, that was seeking grace for its passage to a higher and a holier world. The same old chronicler, who narrates minutely with what earnestness the Prince asked forgiveness of God, and of all mortal men, whom wittingly or ignorantly he had offended, and how immediately after he had so spoken he gave up the ghost, breaks out into a eulogy on the departed champion of England, in which, after Cressy, Poitiers, and Navarette, "that greatest siege of the city of Limoges" is invoked as the Black Prince's special title to glory. The truth is, that the noblest warrior of his age was not in advance of his age. This does not make his crime cease to be a crime; for no conventional phases of opinion can modify the essential distinction between good and evil; but it may well make us sparing as to the degree in which we suffer this single stain on the career of the Black Prince to alloy our admiration of the Achilles of the heroic age in English history.

Opinions of his contemporaries, and of the old chroniclers.

The grief of the nation at his loss was overwhelming and universal, save among the political misdemeanants, on whom he was animadverting in the Senate, as sternly as he had formerly stricken down the foreign enemy in the field. He has continued for centuries to be his country's favourite; and the Black Prince's tomb in Canterbury Cathedral is still the object of patriotic pilgrimage to thousands. None but the ignorant, the craven, or the disloyal, can look with indifference on the helm that moulders there, from which, when it gleamed on the living hero's brow, the bravest chivalry of France and Spain fled so often in defeat and dismay.

Grief of the nation at his loss.

His undying popularity.

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His son, Prince Richard, declared heir to the throne.

The Good Parliament was still in session when Prince Edward died, and they immediately petitioned the King that the Prince's only surviving son, Richard of Bordeaux, should be declared in full Parliament the presumptive heir to the Crown. This was accorded; but a further petition that young Richard might be declared Prince of Wales met with an ungracious answer from King Edward, or from the favourites who now again ruled in his name. The practical value of the Black Prince's support to the Parliamentary leaders of the Commons was made manifest speedily after his death. The Duke of Lancaster returned to Court, and with him returned Alice Perrers, and Lord Latimer. As the biographer of Bishop Wykeham has truly stated, "They took possession of the King, who lay at Eltham oppressed at once with age, grief, and sickness, and utterly unable to withstand their importunity." They made him dismiss the Council, which had been appointed according to the petition of the late House of Commons; and they next began to revenge themselves on the leaders of the late reformatory movement. De la Mare was arbitrarily arrested and imprisoned in the castle of Nottingham. A frivolous and vexatious accusation was brought against the Bishop of Winchester; and a committee of the Privy Council (which Lancaster had selected) gave sentence against him: his temporalities were seized, and he was forbidden to come within twenty miles of the Royal presence. The Earl of March was obliged to resign the office which he held of High Marshal of England. This was immediately given to Lord Percy, who had become one of Lancaster's most unscrupulous partisans.

Reaction against the leaders of the late reforms.

Lancaster, Alice Perrers, and Lord Latimer recover power.

Arbitrary imprisonment of De la Mare.

Persecution of William of Wykeham.

A new Parliament met in January, 1377, and the Black Prince's son, young Richard of Bordeaux (who had been created Earl of Chester and Prince of Wales), presided, by King Edward's desire, at its opening.

A Lancastrian parliament.

The Duke of Lancaster, according to one contemporary chronicler,* had influenced the elections and the returns to this Parliament, so that the majority of its members did his will submissively. The greater part of the proceedings of the late Parliament were reversed by it; and when the Commons petitioned the King that, as he had now completed the fiftieth, the jubilee year of his reign, he would grant a general pardon to all offenders, the Bishop of Winchester was specially excepted from the act of grace. This Parliament granted a tax in a form and of a nature hitherto unknown. This was a poll-tax of fourpence a head, "to be levied from the goods of every person in the realm, both males and females, over the age of fourteen years, except only real and veritable beggars."†

Jubilee year of the King's reign.

The first poll-tax granted.

The Duke of Lancaster was almost arbitrary ruler of England during the brief residue of his father's reign. But one great churchman of the party opposed to him continued a fearless resistance to his domination. This was William Courtenay, the young Bishop of London, a prelate not eminent for learning, but strong by reason of his practical talents and energy, by reason also of his high birth, and still stronger by reason of the popularity, which he had sought and acquired among the Londoners, without being very scrupulous as to the means by which he gained their favour.‡ Through Lancaster's influence over the Archbishop of Canterbury, William of Wykeham was left unsummoned, when the Convocation assembled concurrently with the Parliament. The Government demanded a subsidy from the clergy; but Courtenay

Opposition of the great prelates to the Duke of Lancaster.

Influence of Courtenay, Bishop of London.

Convocation takes up the case of the Bishop of Winchester.

* Harleian MS., No. 6217, cited in Lowth, p. 131.

† "Quatre Deniers a prendre des Biens de chescune persone de meisme le Roialme, si bien masles come femmeles outre l'age de xiiii ans. Exceptes tant seulement verrois mendinantz sanz fraude."—Rot. Par. vol. ii. p. 364.

‡ See Hook's Lives of the Archbishops, vol. iv. p. 326.

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met this by a copious and indignant remonstrance against the wrongs, which had been inflicted on the Bishop of Winchester, wrongs which were an injury to the whole body of the clergy, and an infringement of the liberties of the English Church. The Convocation warmly adopted Courtenay's opinions, and refused to vote any subsidy until the Bishop of Winchester was restored to his seat among them. After some demur, Lancaster gave way; and William of Wykeham took his episcopal place in the Convocation, where he was received with the greatest honour and reverence.

The Bishop of London attacks Wyclif.

Courtenay now proceeded to attack Wyclif, who was at this period residing with the Duke of Lancaster at the Savoy in the Strand, and who by his preachings and his writings was the moving spirit of hostility towards the wealth and the power of the English hierarchy. Courtenay caused Wyclif to be summoned to appear before the Metropolitan, the Archbishop of Canterbury, at St. Paul's Cathedral, on a charge of heresy. Wyclif came; and with him came the Duke of Lancaster and the Lord Percy, the newly-appointed Earl Marshal of England. Nothing was done on the charge of heresy, as the Duke and the Earl Marshal, almost immediately after they entered St. Paul's, began an altercation with Bishop Courtenay, in which they used such violent and threatening language, that the Londoners, who thronged the Cathedral, were incensed at the insults offered to their favourite prelate: the court broke up in confusion, and it was not without difficulty and danger that Lancaster and Percy and their party returned to the Savoy. The Duke hastened to the Parliament, which was then sitting, and proposed measures for the disfranchisement of the City of London, and for giving the Earl Marshal immediate authority to arrest offenders there, and to maintain

Charge of heresy.

Lancaster appears to support Wyclif.

Angry scene between him and the Bishop of London.

The Londoners side with their Bishop.

order. The popular indignation against these two noblemen was naturally increased when this was reported throughout London; and on the next day a large multitude attacked their houses, tore down the Duke's escutcheon, and would have burned the Savoy if it had not been saved by the interposition of Bishop Courtenay. The Duke and the Earl escaped to the waterside, where they took a boat, and were rowed to Lambeth. They landed there, and hastened to Kennington, where they sought protection from the Princess of Wales, who resided there with her son, the young Prince Richard. The Princess sent three gentlemen of her household to remonstrate with the Londoners against further violence towards the Duke. The Londoners replied that they would obey her Highness out of the respect which they bore to her personally, but that they required the Duke of Lancaster to suffer justice to be done to the Bishop of Winchester and to Sir Peter de la Mare.

The populace attack the Duke's house.

The Duke flies for protection to the Princess of Wales.

She intercedes with the Londoners for him.

It is evident that De la Mare was set at liberty, as he is recorded to have been Speaker of the Parment that met in the October of 1377. The Bishop of Winchester recovered the temporalities of his see by a royal order, signed only three days before King Edward's death. This restitution was obtained on condition of the Bishop undertaking to fit out three ships of war for the King, and to provide a quarter of a year's pay for the mariners and archers on board of them. One contemporaneous writer states that the Bishop purchased also the good will of Alice Perrers by a large bribe, before justice was done to him. It is certain that the royal mistress's influence over the King continued to the last day of his life, which was the 21st day of June, 1377. He died at the royal palace of Shene, near Richmond,

The Bishop of Winchester recovers his temporalities.

Conditions of their restoration.

Influence of Alice Perrers.

Death of Edward III., June 21, 1377.

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being then in the sixty-fifth year after his birth, and in the fifty-first of his reign.

Although Edward III. did not attain a far advanced epoch of old age, he lived nearly seventeen years too long for fame. If he had died in the year when the treaty of Bretigny was signed, he would have left a memory of undimmed glory. He lived on to bear the humiliations of defeat abroad and of discord at home. He lost his true dignity both as a king and as a man. He became the tool of contending parties; and the doting dupe of a mercenary mistress. The circumstances under which he died, were peculiarly sad and shameful, even when compared with other royal death-bed scenes. No friends, no kin, none connected with him by any untainted tie, were near him. Alice Perrers had kept him as long as possible in ignorance that death was closely approaching him; and on the last morning, when the dying man was speechless, when his eyes were dim, and his extremities were growing cold, she drew the rings off his fingers and left him. His servants were plundering the palace. A solitary priest found his way to the royal chamber, and, placing a crucifix in Edward's hands, admonished him to pray in thought for forgiveness of his sins. Edward had just sufficient strength to kiss the crucifix and to express by tears his deep contrition before he expired.*

Character of Edward III.

The clouds that had gathered over the last part of this reign were soon forgotten, while its early glories have made the name of Edward III. im-

* I transcribe part of Walsingham's narrative of this death-bed scene:—"Tunc nempe cùm cerneret vocem ademptam, et oculorum acies hebetari, calorem que naturalem extremitates relinquere, mox inverecunda pellex detraxit annulos a suis digitis, et recessit. Solus tunc quidam sacerdos assidebat Regi moribundo, cæteris circa rerum intentis direptioni, qui ei, eò quod loqui non poterat, nec confessionem ore tenus facere, persuasit ut

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perishably dear to his countrymen. The generations of Englishmen, over whom he ruled during the fifty years of his long sovereignty, probably loved and admired him most for his knightly valour and his personal graces and accomplishments. He was remarkable for his beauty in early youth;* and the chronicler, who describes him in manhood, says of King Edward that "his aspect was god-like: such was the graciousness that shone reflected from him."† His hair and beard were long and flowing, as may be still seen represented in the effigy on his tomb at Westminster. Sufficient proof of his courage and prowess as a combatant has been given in the narrative of his single combat with Sir Eustace de Ribeaumont before the gates of Calais.‡ He showed also great skill as a general on the battle-field and in the conduct of a campaign; and probably few of those who fought under him observed that he was not eminent for

Causes of his great popularity.

His personal advantages.

His bravery.

His generalship.

veniam peteret pro commissis, applicans sibi crucis imaginem quam dedit in manus ejus."— Walsingham, p. 397.

The reader will hardly blame me for recalling to his memory the noble lines of Gray:—

"Mighty victor, mighty Lord,
Low on his funeral couch he lies—
No pitying heart, no eye, afford
A tear to grace his obsequies.
Is the sable warrior fled?
Thy son is gone. He rests among the dead.
The swarm that in the noontide beam were born,
Gone to salute the rising Morn."

Gray, "*The Bard.*"

* Froissart, in a passage in his lately discovered third version, places before us in a few lines a perfect picture of the frank, winning, looks of young Edward. He says that when his uncle, King Charles de Valois, received Queen Isabella and Prince Edward at Paris, "Les veoit li rois volontiers, et prendoit a la fois grant plaisance ou jone Edouwart, car il estoit bians fils et rians: et s'esbatoit li rois, qui estoit son oncle, en ses joneces."—See the Introduction to M. Lucé's Froissart, p. cxxviii.

† Cited in Pauli, vol. iv. p. 500, and in Longman, vol. ii. p. 296. Their reference to Knighton, p. 2630, is erroneous.

‡ See p. 151, *supra*.

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genius in planning the operations of a war. His subjects at home, especially the Londoners, had ample opportunities for admiring their King's horsemanship and his dexterity in the use of arms, as exhibited in the mimic-warfare of the tournament. He was endeared to them by his fondness for pomp and pageantry, by the magnificence of his court, and by the stateliness of his palaces and castles. He won the favour and the praise of men of learning and science, of minstrels, chroniclers, and poets, by his well-educated taste, and by his enlightened appreciation of their respective merits, as well as by his large-handed munificence. William of Wykeham, Wycliff, Chaucer, and Froissart were among the holders of office in the royal household. Jehan le Bel, without partaking of Edward's bounty, was intimate with him, and has expressed emphatically his share in the admiration with which the English King was regarded throughout Europe.*

His fondness for pageantry.

His patronage of learned and literary men.

His European renown as *The* Noble King.

We may feel sure that no quality contributed more to King Edward's popularity, than his genial good-

King Edward's *Bonhommie.*

* Jehan le Bel calls Edward III. *par excellence* "The noble King." The passage in which the gallant Canon of Liège justifies himself for writing thus of King Edward, while he spoke of his rival simply as King Philippe of France, deserves attention. It will be seen that two traits in Edward's character, which posterity regards as blemishes, his profuse liberality, and his habit of exposing his person freely in battle, did much to win the praises of his contemporaries. Jehan le Bel says in his 76th chapter (vol. ii. p. 61), "Aucunes gens qui orront lire ceste hystoire, se pourront esmervillier pour quoy je appelle le roi d'Angleterre, le noble roi Edowart, et tout simplement je nomme le roy Philippe de France, si cuideroient et pourroient penser que je tenisse bende et partie. Sauve la grâce de chascun, je ne le fais pour porter partie, ains le fait pour hounourer celluy qui en ceste hystoire s'est porté le plus noblement : c'est le noble roy Edowart que on ne pourroit trop hounourer, car toujours a creu bon conseil en ses besougnes, et ses gens chevaliers et escuiers ouï, et chascun, selon son estat hounouré, et bien deffendu son royaume contre ses anemys, et sur eul conquesté assez, et son propre corps dedens son pays et dehors, sans faintise, avecques ses gens aventuré, et ses souldoiers et allierz bien pasé et de syen largement donné ; si en dobit estre de tous moult voulentiers servi, et partout Noble Roy clamé."

humour, and his kindly, but not undignified familiarity with those around him. Such was his manner at Cressy, when he went through the ranks, talking cheerfully with his men before the battle, and bidding each to refresh himself with a good cup of wine. Such was he before the battle with "The Spaniards on the Sea," in that scene, which Froissart has drawn so vividly,* when King Edward sate in the bow of his favourite ship, the Cog Thomas, waiting for the enemies to appear. He sate there, says the chronicler, "dressed in a black velvet jacket, with a beaver hat of the same colour, which became him well;" and he was as joyous in look and speech (so those who were with him told Froissart) as he ever had been seen in his life. He ordered his musicians to help pass away the time by playing the tune of a German dance which "Master" John Chandos had lately brought over from Germany; and the King also in his gaiety of heart made Chandos sing to the music, which gave him great delight. And all the while King Edward kept looking up aloft, for he had a watch stationed in the Cog Thomas's main-top, to tell him when the Spanish ships came in sight; and when the look-out man called that they were coming, more in number than he could count, the King ordered the trumpets to sound, and his helmet to be brought; but before he put it on he took a draught of wine, and made all his companions drink with him.

Edward's vices lightly

Edward's vices, his licentiousness, and his extravagance were gravely rebuked† and sharply satirised

* See Buchan's edition in the Chroniques Françaises, vol. iii. p. 11. It is cited by Mr. Longman in his Preface, p. 8, and at vol. i. p. 325.

† For Archbishop Islip's rebuke of the King in the Latin treatise, beginning "Domine mi Rex utinam saperes," see Hook's Lives of the Archbishops, vol. iv. p. 136. For the satires, see reference, p. 197, *supra, to* "Political Songs."

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viewed by his people.

by some of his contemporaries; but the mass of mankind are apt to regard these blots on a king's character with indulgence, and even with secret liking, provided that the royal man be, as Edward III. throughout the greater part of his reign was, brave, affable, generous, strong, daring, and successful. The remonstrances, which not unfrequent acts of misgovernment and administrative negligence drew from his faithful Commons, were always expressed more in sorrow than in anger.

His real claim to England's gratitude.

And on the whole, Edward III. had substantial claims to his people's gratitude, for the advanced rank among the States of Christendom, which England acquired under his sovereignty; for the general Parliamentary and popular character of his government; for the amelioration of the laws; for the nurture of commercial prosperity; and for the discerning patronage of literature, science, and art.

His ambition.

Ambition is the sin chiefly imputed to this king. But freedom from it would in that age (as in most ages) have been a very rare and exceptional merit for a sovereign to possess. I believe we have seen sufficient proof that Edward III.'s French wars were forced on him; and his assumption of the title of King of France was rather a consequence than a cause of those wars. During the last half of his reign he had the good sense to abandon the traditional policy of warfare for the annexation of Scotland; and he wisely sought to unite the northern and southern nations of the island by peaceful and friendly inter-communications. His self-denial also in refusing the Empire, when the German electors offered him the glittering dignity, for which so many sovereigns in various ages have eagerly and obstinately striven, is ever to be remembered in Edward III.'s favour. Altogether, although he is not to be ranked with his illustrious grandsire as a kingly

genius of the grandest order, he is to be placed high above the average standard of English rulers—a standard which considerably surpasses that of the sovereigns of any other European country.

The internal History of England during this reign to be now specially considered.

In the foregoing narrative of the chief civil and military events of Edward III's reign, we have not paused to examine fully the progress and character of institutions and laws; and we have not hitherto carefully considered the changes in the condition of the English people, which occurred during these very important fifty years of our domestic history. It will now be proper to devote especial attention to these topics; and to trace the history of our Parliamentary constitution, the history of our laws, our ecclesiastical history, the history of commerce and trade, and of the condition of the people. This classification of the greater part of the multitudinous subjects, that make up our internal history, is to some extent practicable and useful. But all these branches of inquiry blend much with each other, and greatly influence each other, so that it is impossible to observe rigorously any rules for their separate discussion. There is one most important group of subjects, including the labour laws, Villeinage, the origin of the Poor-laws, and the relations between landowners and peasantry, which will still remain to be dealt with. The events of the last thirty years of Edward III.'s reign, and of the first part of the next reign are, in respect of these subjects, so closely connected, that it will be best to comprehend them in a chapter appropriated to their discussion.

Its branches.

Constitutional history.

Early recognition of great constitu-

It has already been pointed out how much was done in the Great Charter, in the further baronial reforms during Henry III.'s reign, in the sagacious legislation of Edward I., and in the Declaratory

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tional principles.

Statute passed in the fifteenth year of Edward II.'s reign,* to recognise and establish the great principles of our constitution, that the lawful government of England is a government by an hereditary king, ruling with powers limited by law, and bound to summon and consult a Parliament of the whole realm, consisting of Lords and Commons; and that without such Parliament's sanction no tax can be imposed, and no law can be made, repealed, or altered. All the circumstances of Edward III.'s reign tended to favour the vigorous growth and practical efficacy of these rules. When he was proclaimed King, his mother and Mortimer, who ruled in his name, sought eagerly for the support of all classes of the community; and when the young King overthrew their power, he was similarly anxious to strengthen himself by obtaining the favour of the people, and the sanction of the Parliament to his early measures. The long wars with Scotland and France, especially with France, in which he soon became involved, and his consequent need of continual supplies of money, made him regular in summoning his Parliament, and anxious to obtain its approval of his policy. The Charters were repeatedly and solemnly confirmed, "being considered as the corner-stones of the English law and constitution;" † and the persevering vigilance of the

Their increased authority during Edward III.'s reign.

Repeated confirmations of the charters.

* "The matters to be established for the estate of the king, or of his heirs, and for the estate of the realm, and of the people, shall be treated, accorded, and established in parliament by the king, and by the assent of the prelates, earls, and barons, and the commonalty of the realm, according as had been before accustomed."—See pp. 23, 24, *supra*.

† Reeve, Hist. Law, vol. ii. p. 369. Mr. Reeve adds, "It seemed to be a matter of course all through this reign to prefix a confirmation of the Charter to every statute of any length or consequence, and to these two Charters were sometimes added a confirmation of all franchises and privileges enjoyed by cities, boroughs, and individuals; and sometimes, *though less frequently than in former times*, a confirmation of the liberties of the Church. Not content with their general confirmation, particular parts of

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leaders of the English Commons (statesmen, whose names have, with a few exceptions, perished, but who merit their country's undying gratitude) suffered no wrong to pass without remonstrance, even if immediate redress were impracticable; and they struck out new lines of parliamentary action, whereby their jeopardised rights might be practically enforced.

Vigilant patriotism of the leaders of the Commons during the 14th century.

Edward III. must have had intelligence enough to discern, how much greater weight in the conflict of European powers and politics a King of England possesses, when he rules in concurrence with the nation's will, than when he acts in arbitrary disregard of his people's feelings and desires. We may also well believe that he saw with patriotic pride the manly courage and honest firmness of his burghers and his yeomen, as displayed in the shire-mote, the guild, and the council-chamber, as well as in the march, the siege, and the battle-field. But King Edward had a genuine kingly love for his prerogative; and he often wielded it heavily and harshly beyond, as well as within, the proper circle of its sway. The impressment of ships and soldiers was frequently exercised with unfairness and needless severity. Royal Commissions were sometimes sent out, by which persons, who were not bound by tenure or other legal liability to provide soldiers or military stores for the King, were required to do so, by the King's sole authority. Fines for disobedience of

Edward's hankering after strong prerogative.

Oppressions exercised by him.

Magna Carta which were esteemed more calculated for protecting the rights of the people were specially re-enacted. It was declared by stat. 5 Ed. 3, c. 9 (in conformity with the express words almost of Magna Carta, c. 29), that no man should thenceforth be attached on any accusation, nor forejudged of life or limb, nor his lands, tenements, goods nor chattels seized into the King's hands, against the form of the Great Charter and the law of the land. And again, by stat. 28 Ed. 3, c. 3, that no man of what estate or condition whatever should be put out of his land or tenement, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought in to answer by due process of law."

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these and similar orders were forcibly exacted. Imposts upon exports were levied without parliamentary consent; and on one occasion, at least, tallages were set on cities and towns by a like illegal stretch of royal power.* But against these and all similar excesses the Commons remonstrated in loyal but uncompromising language. Edward's good sense prevented him from going too far in any contest with his people; and the confirmations of the Great Charters, already alluded to, must be regarded not as unnecessary formalities, but as solemn and effective admissions by the King that unparliamentary taxation was illegal, and that the King's mere will cannot in England have the force of law.

Firm and unfailing opposition of the Commons.

The long roll of statutes passed in this reign prove (as a great modern European statesman† has observed) by their very phraseology, how fully the right of the Commons to participate in legislation was now established. The statutes purport on the face of them to have been passed "at the request of the Commons of the realm," or "by the assent of the Prelates, Earls, and Barons, and of all the Commons of the realm, in Parliament assembled," or else to be things which "the King, the Prelates, Lords, and Commons have in Parliament ordained."

Rights of the House of Commons proved by the phraseology of the statutes of this reign.

The concurrence of the Commons in legislation appears to have been the natural and necessary effect of the principle, which was recognised and stated, at least as early as the reign of Edward I., as the reason why Parliaments were convened: the principle that "in matters which regard the state of the realm, the advice of all those interested in the matter should be taken."‡ Without doubt the money-voting functions

Principle that the government of all should be with the consent of all.

* See Hallam, vol. iii. p. 42.

† Guizot.

‡ See vol. i. p. 445.

of the representatives of the Commons must have often been regarded by kings and by royal ministers as the most important duties, which knights of the shire and burgesses (especially the last) came into Parliament to perform. But I think it is taking too narrow and too grovelling a view of the origin of the popular part of our Constitution, to suppose that the grant of money-supplies was the sole original business of the Commons, and that the other powers of taking part in legislation, of giving advice in matters of foreign as well as of domestic policy, and of inquiring into and of punishing abuses, were encroachments, which their hold of the public purse enabled them to effect, chiefly at the expense of the authority of the Crown, but to some extent also at the expense of the privileges of the Prelates and Peers. Neither Simon de Montfort, when he caused the burgesses to be first summoned, nor Edward I., when he deliberately and repeatedly adopted the system of parliamentary representation of the Commons, which his great adversary in civil war had originated, can have been blind to the importance of ascertaining the national feeling, and securing the hearty co-operation of all orders of the community in measures of general public importance. The occasional dismissal of the burgesses after a supply had been voted, and while the great Lords remained in council with the King, and the want of documentary proof that burgesses were summoned to all the Parliaments of Edward I., cannot do away with the effect of the proof positive of their frequent presence and joint action when State affairs of the utmost importance were determined. And when once liberal and enlightened maxims of popular government, such as that contained in Edward I.'s State-letter, already referred to, are freely avowed by a sovereign, they are

Power over the public purse not the sole original power of the Commons.

Liberal principles of government rarely retractile, essentially expansive.

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not easily retracted, nor is the expansive power of such principles to be readily coerced. The Declaratory Statute, passed in the fifteenth year of the next reign, does more than recognise the legislative power of the Commons, with respect to which it has been already cited. It declares generally, that "matters to be established for the estate of the King and of his heirs, and for the estate of the realm and of the people, should be treated, accorded, and established in Parliament by the King, and by the assent of the Prelates, Earls, and Barons, and the commonalty of the realm; according as had been before accustomed." And it is certain that matters of general importance, though not matters of taxation or of legislation, were "treated and established in Parliament" by the commonalty of the realm, as well as by the King and his Prelates, Earls, and Barons. The treaties with Scotland prove this. It is always to be remembered that we possess only a scanty portion of the once recorded Acts of State of those ages; and the presence of a few affirmative proofs far outweighs the apparent negative evidence of the absence of similar proofs on similar occasions. "The assent of the whole commonalty" to the appointment of Prince Edward as Guardian of the Kingdom, in consequence of the alleged abandonment of the realm by Edward II., is ostentatiously put forward by the promoters of the revolution, in which that unhappy sovereign lost his throne and life. The Council of Regency in the beginning of a new reign was appointed in a Parliament comprising knights and burgesses. The treaty with Scotland in 1328 purports to have been concluded with the consent of Parliament, and the consent of the Commons is expressly mentioned. When we come to Edward III.'s real reign, the period after the overthrow

The power of the purse, and legislative power, not the only original powers of the Commons.

Proofs of their advice being taken as to matters of both home and foreign policy.

of Mortimer, the proofs of his consulting his Parliament on matters of peace and war become so numerous* that they must be considered to prove system and principle. On one occasion the Commons declined to give any advice about the war with France, on account of their professed ignorance and simplicity; but this cannot outweigh the effect of the instances, at least eight in number, on which their opinion was expressed. In addition to these eight instances we ought, perhaps, to consider the free-spoken and explicit remonstrances of the Commons as to the neglect of the navy, and the losses inflicted on the English shipping and coasts by the enemy's squadrons, which have been already cited in this volume.

Remonstrances of the Commons as to state of maritime affairs.

The honourable pertinacity with which the English Commons resisted Edward III.'s graspings after unvoted money, has been already dwelt on. They were equally vigilant in their firm but orderly opposition to other acts of arbitrary power;† and they

* See them set out in vol. i., Parliamentary History, pp. 83, 106, 113, cited in Rise and Progress of the English Constitution, p. 243.

† The grievance of illegal impressment is one subject of frequent remonstrance. Another is the abuse of the king's right of "Purveyance." That right consisted of the king having power, when he travelled, to put in requisition horses and conveyances along the road, and also supplies of provisions and forage. These were to be paid for at reasonable rates; but it was for the royal traveller to fix the amount, and the inhabitants of the district had no right to withhold or to claim further payment of the articles needed for the royal use. Such a power, exercised under proper limitations, is almost absolutely necessary in times and places where the means of communication and of transporting stores along a line of march are difficult, and where there is no certainty or even probability of competition among the owners of goods to obtain a purchaser. But the abuse of this power by the English sovereigns, or rather by the royal servants and officers, had become gross and intolerable. Far more was demanded and seized than was needful; the remuneration was set at an insolently inadequate amount, and the payment even of this was delayed, and often withheld altogether. Besides these extortions, the power of entering houses under the pretext of searching for articles of purveyance, was occasionally abused by the officials for purposes of foulest insult and injury. The Commons in Edward III.'s reign not only protested against these wrongs, but obtained the passing of

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adhered to a prudent practice of connecting the redress of grievances with the grant of supply.

Provisions for the frequent holding of parliaments.

The legislative provisions for the frequent holding of Parliaments are among the most important enactments in this reign; and if they had not in after times been suffered to fall into desuetude, some of the most calamitous passages in our history might have been prevented. The statute, 4 Ed. 3, c. 14, enjoined that a Parliament should be held every year, and more often, if there were need. This Act was passed during the ascendancy of Mortimer and Isabella; but it was fully renewed by another statute passed when Edward had been thirty-six years on the throne. It may be doubtful whether those who obtained the passing of these statutes did not regard more the importance of the people having frequent opportunities for bringing their grievances before the King, in Parliament, for redress, than the advantage of having frequent assemblies of the Estates of the Realm for the purposes of taxation and legislation. But the last-mentioned purpose cannot have been lost sight of; and certainly, after such enactments, any long period of kingly government without Parliaments must have been regarded as forbidden both by the letter and the spirit of the Constitution.

many statutes to put an end to them. The right of purveyance was only to be exercised for the household of the king, the queen, and their children. A lawful warrant was made necessary for the taking of any article. The purveyors were bound by statute to pay ready money. A fair appraisement of prices was to be made. Penalties were imposed on purveyors who favoured some inhabitants and charged others. Commissioners were appointed to inquire into the takings of purveyors, and to ascertain whether they kept back for their own profit anything levied by them in the king's name. Heavy penalties were imposed for the violation of these laws. See Reeve, vol. ii. p. 370, who sums up the effect of these remedial statutes: "Thus was the great oppression of purveyance gradually fined down to a more gentle form, till it amounted to little more than a pre-emption or preference in favour of the king and queen's household."

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Froissart's testimony to the restraints on kingly power in England.

The evidence of an intelligent foreigner, who has had ample opportunities for observation, is very valuable, when we are inquiring into the practical working of constitutional principles. There are some remarkable passages in the lately-discovered writings of Froissart, in which that chronicler (who had been often and long in England, and who had held appointments in the English Court), attests the necessity which a King of England was under of taking the advice of his Parliament, and his inability to tax the people without parliamentary consent. Froissart says:—"The King of England must consult his subjects, and obtain their consent, before he concludes a treaty of peace or of war with a foreign power." Again, he says emphatically, "Not that the King can levy a tax on his people; no—the people neither could nor would suffer it. He has certain ordained and agreed assessments on the staple of wool; and it is out of this that the King is supplied, over and above his own rents and revenues: and, when he makes war, they double that assessment for him. England is the best guarded country in the world."*

Forms of taxation.

Froissart has here correctly pointed out the chief

* These passages are from the Third *Redaction* of Froissart's Chronicle, which he wrote in his old age (see note at p. 64, *supra*). They will be found at p. 7, vol. i. of M. Kervyn's edition of "Le Premier Livre," and also in the Introduction to M. Luce's edition of Froissart, pp. lxxii., cxxviii. I subjoin the original of the last passage, citing also some sentences which immediately precede those which I have translated in the text. The whole passage is written in a strong spirit of dislike to the mass of the English nation, especially to the middle classes. But it proves completely the political importance, which those classes had obtained in the fourteenth century. Froissart evidently considers that the fact, that the nobles in England were not able to seize arbitrarily on the property of the inferior people, was as remarkable, as the fact of the inability of an English king to take his subjects' money without their consent. He was evidently contrasting in his own mind these things with the rapacious violence of the French seigneurs, as well as with the despotic exactions of the French kings. Most noteworthy is his reluctant praise of the even-handed and strong protection, which was given by the law in England:—"Par especial desous le

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Export duty on wool.

production, on which the taxes voted by Parliament were levied. The wool exported from this country paid a duty to the Crown, the rate of which was greatly increased, especially after the outbreak of the second war with France. Duties were levied also on tin, and on hides that were exported; and on wine and other articles, whether imported or exported. But exported wool was the great staple of supply. Froissart's phrase, "The staple of wool," will be explained presently, when we come to consider some of the statutes of this reign. But these customs-duties were not the only supplies, that were usually granted by the Parliaments of this period to their sovereigns. We have frequently during the proceedings of this reign had occasion to notice grants of "Tenths" and "Fifteenths," and similar sums by the Commons in Parliament, and by the clergy in convocation. A brief explanation of these taxes, and of the mode in which they were raised, may be usefully given here. The primary method of granting the Crown a supply by way of talliage, was by authorising the sovereign to levy the value of a defined proportion of each subject's moveable property, which proportion

"Tenths" and "Fifteenths."

solel n'a nul plus perilleus peuple, tant que de hommes mestis, comme il sont en Engleterre. Et trop fort se différent en Engleterre les natures et conditions des nobles aux hommes mestis et vilains, car li gentilhommes sont de noble et loiale condition, et li communs peuples est de fèle, perilleuse, orguilleuse et desloiale condition. Et là où li peuples vodroit monstrer sa felonnie et poissance, li noble n'aueroient point de durée à euls. Or sont il et ont esté un lonch temps moult bien d'acort ensamble, car li noble ne demande au peuple que toute raison. Aussi on ne li soufferroit point que il presist, sans paiier, un oef ne une poulle. Li homme de mestier et li laboureur parmi Engleterre vivent de ce que il sévent faire, et li gentilhomme de lors rentes et revenues; et se li rois les ensonnie, il sont paiiet, non que li rois puist taillier son peuple, non, ne li peuples ne le vodroit ne poroit souffrir. Il i a certainns ordenances et pactions assisses sus le staple des lainnes, et de ce est li rois aidiés au desus de ses rentes et revenues; et quant il fait gerre, celle paction on li double. *Engleterre est la terre dou monde la mieulz gardée.*"

was sometimes as low as a thirtieth, sometimes as high as a seventh part. The next step was the regular appointment of Commissioners, who made the principal inhabitants of each township give them a return on oath of the value of the moveables possessed by each householder in the township on a specified day, which was usually Michaelmas Day. A day late in the year (it is to be remembered that it was *old* Michaelmas Day) was without doubt purposely chosen, because by that time the crops on each man's land had been cut, and had become moveables, instead of forming part of the real estate. The returns were to include the value of crops, cattle, merchandize, goods, furniture, money, jewels, wearing apparel, and personalty of every kind, with very few reservations. The investigations for the purpose of these assessments were necessarily inquisitorial and unpopular; and in 1335 King Edward appointed Commissioners, who were authorised to compound at once for a definite sum as representing the aggregate value of the moveables in each township. This was made; and this continued to be the basis on which the amount to be paid by each township was calculated. When this had been done, the inhabitants made up the required amount by a local assessment among themselves.

The numerical fraction named in the grant of each tax upon moveables varied very much. Sometimes it was a fifteenth, sometimes it was two-fifteenths, sometimes a tenth, sometimes a seventh: but tenths and fifteenths were the divisional sums usually mentioned; and hence this form of taxation is commonly spoken of as the grant of Tenths and Fifteenths. Not unfrequently different proportions were contributed by different classes. Thus, in 1334, the Parliament granted the King a tenth from the boroughs and a fifteenth

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from the Barons and Knights of Shires. Sometimes there was a variation in the proportions payable from different classes of places.

These taxes spared the very poor.

It will be observed that taxes, such as have been described, affected directly those classes only of the community, which were possessed of some property. The great mass of the poor escaped them.

Severe effect of a poll-tax.

The change from this system of taxation to a poll tax, especially if not graduated, such as we have read of in the proceedings of the last Parliament of Edward III., and such as we shall find repeated in the third year of the reign of his successor, was calculated to produce, and did produce, very serious commotions.

Judicial functions of the early Parliament.

We will now resume the consideration of the functions exercised by our Parliaments. We have examined them as legislative bodies, as taxing bodies, and as assemblies entitled to give authoritative advice on all great matters of State policy and administration of government. We have still to inquire what were their judicial powers and duties.

It is impossible to define with precision the limits, within which the Parliaments of the first three Edwards exercised their judicial authority. The fact of that authority having been ample and effective is indisputable. Our Liturgy still reminds us of the pre-eminence of "The High Court of Parliament;" and the modern House of Lords still observes nearly the same old forms by which, five centuries ago, "Receivers and Tryers of Petitions of England, Acquitaine, Wales, the Islands, and other foreign territories and places," were appointed at the commencement of each new Parliament. But the judicial powers now exercised by Parliament, though of the highest order, can give no adequate idea of the supremacy in the administration of justice attributed to that assembly in the

olden time; when "petitions poured in from all quarters, at every meeting of Parliament, not only upon subjects of public and national concern, but for relief in private matters."* The Parliament was then regarded as the Supreme National Tribunal, whose function it was "to redress all wrongs, to remedy all abuses, and to remove all difficulties with which a man was pressed either in his property or person."†

The Parliamentary Receivers and Tryers (or "Committee-men," to use a modern phrase), who were appointed in each Parliament to examine the multifarious petitions, that flowed in at the opening of a session, were almost always Spiritual and Temporal Peers. The Commons seem early to have abstained or withdrawn from taking judicial cognizance of matters of private litigation.

Petitions to the King in Parliament. How distributed and disposed of.

The King and the Lords considered and decided judicially on some petitions in Parliament; but the greater number of the petitions were remitted by the Receivers and Tryers to the ordinary tribunals for determination, according to the subject matter of each case. But often, by reason of the novelty or intricacy of the dispute, or by reason of the rank of the parties implicated, or by reason of the supposed unwillingness, or incompetence of the regular courts to deal with the subject, though within the scope of their jurisdiction, the petitioner was ordered to bring his grievance before the King in the King's Council,—a tribunal to which we must now devote some attention, deferring a while the important subject of Parliamentary proceedings on charges of political criminality.

* Bowyer's Commentaries, p. 317.

† See as to the judicial powers of the early Parliament, Reeve's Hist. Law, vol. ii. p. 406.

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The King's Council.

There are few matters connected with the early history of our Constitution, on which it is so difficult to speak with literal and technical accuracy as the composition and power of the Great Council. Still it may be within our power to gain a substantially correct idea of the general nature and functions of the Council; and such knowledge is very necessary for the right understanding of many important matters in our Constitutional history that have occurred even as late as in the seventeenth century.

Perpetual memorandum that the English Constitution grew and was not made.

It is always to be borne steadily in mind, when we are inquiring into any of the antiquities of the English Constitution, that our Constitution was not elaborately designed and arranged by any one founder, or even by any generation of law-givers, who set to work with the avowed purpose of making a system of government. Our institutions grew out of older institutions. The progress of their growth was not uniform; nor was it always certain what would be their precise development. Moreover the old, the primary institution in many cases survived, and co-existed for a long time after the new and more highly organised institution had been evolved. This was the case with the Grand Council, or Great Council of the early Anglo-Norman Kings. Long after Parliament had come into being, and long after the word "Parliament" was well understood to mean the regular assembly of the three Estates of the Realm—Lords Spiritual, Lords Temporal, and Commons—called together by the sovereign to advise with him on high matters affecting the commonwealth, to legislate, to provide supplies for the cost of government, and to procure the redress of grievances,—long after the Parliament had thus acquired its full political existence, our kings continued to call together the Great

Great Council of the Anglo-Norman kings survived as a Council after Parliament had been developed from it.

Council, at which every Peer was privileged to be present, and at which the attendance of all important officers of State was a matter of customary duty. Sometimes deputies also from counties and boroughs were summoned to the Great Councils. The King in Council exercised the power of making Ordinances, which it is not always easy to distinguish from Statutes, except in name. But the general rules of distinction between Statutes and Ordinances are correctly said to be, that an Ordinance dealt with specific cases only, but a Statute dealt with a general subject; that an Ordinance was generally a declaration and an enforcement of pre-established law, and not the introduction of new law; which, if to be done, was effected by Statute; and that although an Ordinance could be altered by a Statute, a Statute could not be repealed or altered by an Ordinance.

Councils sometimes attended by deputies of the Commons.

Ordinances and statutes.

General distinction.

I believe that these distinctions were only gradually made; and that a legislative Act in one of Edward I.'s Great Councils was as fully operative as a legislative Act in one of his Parliaments. But the King's Council gradually lost its magnitude as to the number and character of those who attended it; and hence ensued a decline in the greatness of the matters, which it dealt with, and in the amplitude of public deference which it commanded. The presence in the Council of deputies of the Commons was rare even in Edward III.'s time, in comparison with the number of times when the Council sate without them. I do not know of any instance after this reign in which the Council comprised elected Commoners. The presence, also, of the mass of the Peers of the Realm occurred only on great occasions. In general the King's Council consisted of the chief officers of state, such as the Lord Chancellor, the Lord High Treasurer, the Lord High

Change in the composition of the Council.

Its usual members.

Members of Council.

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Steward, the Lord Admiral, the Lord Marshal, the Lord High Chamberlain, and the Chancellor of the Exchequer. It is to be remembered that these high offices were in early times generally held by Peers, either spiritual or temporal; and any Peer, whether in office or not, probably retained his original right to take his place in Council, although such right was seldom exercised, except on the great occasions when the collective body of Lords spiritual and temporal was convened. But there were also many official members of the Council, who were Commoners. Among these were the King's Serjeant, the King's Attorney-General, and some, if not all, of the Barons of the Exchequer and the Judges of the two great common law courts. A Council thus constituted was the regular, the ordinary King's Council. "Concilium Ordinarium" was the title commonly given to it, as early as Edward III.'s reign; a title probably intended to distinguish it from the smaller body of confidential advisers of the sovereign in State affairs, who met apart from the bulk of the Council, and who in after times were called Privy Councillors. There are records of the meetings and proceedings of this smaller body as early as 1386: and there is no reason to suppose that it was then any novelty. The Concilium Ordinarium continued to coexist with it for many ages. Through the remainder of this volume, when the term "Council" is used without any distinguishing epithet, it will be the Concilium Ordinarium that is intended.

The Council, *i. e.*, the Concilium Ordinarium distinct from the Privy Council.

Judicial power exercised by Council.

Appellate.

We have seen the legislative power exercised by the Council, or rather by the King and Council, in making ordinances; the judicial powers which the Council assumed were practically even more important. The appellate authority of the Peers (which is supposed to have remained after the dissolution of the old Aula Regia)

was exercised by them chiefly if not always in Council during many reigns. But the Council also maintained an original jurisdiction, both in civil and in criminal cases. Its civil jurisdiction was principally carried on by means of the Chancellor, to whom civil cases, in which the interference of the Council had been prayed by either party, and which seemed unsuited for the courts of common law, were generally, though by no means universally, remitted. Hence the jealousy, with which the common lawyers regarded the Council, was extended to the Court of Chancery; and it was long before any harmonious co-operation of those two branches of our judicial system was effected. In criminal matters especially the Council interposed its authority in cases of riot and tumult, of oppression and abuse of official power, where the ordinary tribunals could give in practice no adequate protection against factious tumult, and against the intimidation of the strong, and against the corruption practised by the wealthy. The summary and cheap interference of the King's Council to prevent and to punish misconduct of this nature must, in turbulent times, and when the ordinary arm of the law was weak and ill-directed, have been regarded as the best possible function of government by many who considered substantial justice more important than phrases and formalities.

Original.

Chancery works out the civil business of the Council.

Criminal jurisdiction exercised by the Council.

Originally beneficial.

But there was a natural tendency in those, who wielded the power of the Council, to extend its operation to cases, where no necessity for its intervention existed. It was found to be a most convenient engine for crushing or coercing all, who opposed the royal will, or who made themselves obnoxious to any of the great men, of whom the Council was composed. Its systems of vagueness of charge, of arbitrary imprisonment on mere suspicion, of secret examination and trial, of

Tendency to abuse.

Made a political engine, and used also for private oppression.

Objectionable nature of its process.

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Statutes to restrain it.

Its exercise of power continued until under the name of Star Chamber, it is destroyed by the Long Parliament.

Parliamentary impeachment.

capricious and often excessive punishment, were found to deprive men of their best safeguards against false judgment and oppression. The House of Commons frequently complained of the judicial proceedings of the Council during Edward III.'s reign; and statutes were passed expressly to restrain them.* But, though continually protested against, the Council continued to fine and imprison. The extirpation of its abused power was reserved for a much later age.

The men who, in the House of Commons, during the fourteenth century, initiated and maintained the struggle against the criminal jurisdiction of the Council, which their successors in Charles I.'s Long Parliament were destined to complete, seem clearly to have understood the need of there being a tribunal higher than the ordinary courts of law, before which great offenders in the maladministration of the State might be solemnly tried and adequately punished. The High Court of Parliament itself was treated as the fit constitutional court in such matters; the Peers of the Realm were recognised as the great national inquest by whom the verdict of guilty or not guilty was to be pronounced; and the Commons themselves assumed the necessary office of standing forward as the prosecutors of such charges. The first clear proofs of the exercise of this right of impeachment by the Commons are to be found in the records of this reign. A charge made by the Commons against Sir John Lee in the forty-second year of Edward III. can perhaps hardly be regarded as a case of Parliamentary impeachment. It dealt with matters of private fraud as well as with malpractices in State matters; and it was heard before the Council. But eight years afterwards came the proceedings against

* 25 Edw. 3, s. 5, c. 4; 37 Edw. 3, cxvi.; and 38 Edw. 3, s. 1, c. 9.

Lord Latimer and others, which have been already narrated when we were speaking of the events of the year 1376, the year of "The Good Parliament." As we have seen, the House of Commons then accused before the House of Lords six of the King's officers for various acts of ministerial misconduct. Of these six accused, two, the Lords Latimer and Neville, were Peers; the other four, Lyons, Ellis, Peachey, and Bury, were Commoners. Bury fled from justice. The other five were regularly tried before the House of Lords, convicted, and sentenced.*

Improvements in Constitutional Law.

The Statute of Treasons.

Highest among the amendments of the law in this reign is usually ranked the Statute of Treasons (25 Ed. III. c. 2), which has been "regarded by great legal authorities in the light of a new Magna Charta, and a new pillar in our free constitution."†

Common idea of treason, two-fold.

Treason *versus personam.*

Treason *versus majestatem.*

Both kinds capable of indefinite constructive enlargement.

Offences of very different kinds might be regarded as coming within the scope of one or other of the two ideas, which are most obviously associated with the word "Treason." One of them is the idea of actual direct attack upon the King's person; the other is the idea of a subject arrogating to himself the exercise of sovereign authority. Both these branches might be and were extended by the arbitrary decisions of royalist judges, so as to reach many acts, which to men of common sense would have seemed far from amounting to treasons; and when once the system of making constructive treasons was established, no one could tell how far it might not be carried, and what acts might not be judicially treated as treasons, so as to render the doers of such acts liable to a cruel death, and to make the lands and goods of the sufferers liable to forfeiture

* See p. 199, *supra.*

† Reeve, Hist. Law, vol. ii. p. 453. Lord Campbell (Lives of the Chancellors, p. 250), speaks of this statute in even higher terms of praise.

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Actual instances of constructive treasons by judicial extension.

to the Crown. Thus the guilt of attacking the King's person was held to be constructively incurred by those, who attacked the persons of the King's near relations or attendants. And riotous and tumultuous breaches of the peace, and ambitious and arrogant speeches had in several cases been dealt with as treason, because they were attacks on the King's sovereignty and *accroachments* of royal power. At last, in the 21st year of Edward III.'s reign, the judges went the length of holding a man guilty of treason because he forcibly detained another man, until the other paid him ninety pounds. This was held to be treason, because the offender was guilty of accroaching royal power, when he thus exercised dominion over his fellow-subject. By a parity of reasoning, the most trifling trespass might have been held to be treason; and no man's life or estate was safe, while such a doctrine was suffered to prevail. The House of Commons immediately addressed the King, praying in substance that it should be declared in Parliament what is the accroachment of royal power, which ought to be adjudged treason. The King endeavoured to evade this request; but the Commons persevered, and four years afterwards the statute was obtained which defined the acts against the State, which should be held to amount to treason. These were to compass or imagine the death of the king or the queen, or that of their eldest son and heir; to violate the king's consort, or the king's eldest daughter unmarried, or the wife of the king's eldest son and heir; to levy war against the king in his realm, or be adherent to the king's enemies in his realm, giving to them aid and comfort in the realm or elsewhere.

Flagrant case, 21 Ed. III.

Promptitude of the House of Commons in seeking a remedy for this wrong.

They obtain a statute defining what is and what is not treason.

A man charged with

The statute declared these things to be treasons, and it enacted that the man accused of them must be

proveably attainted of open deed by people of his own condition. Other treasonable acts were then enumerated, several of which certainly seem to be far less heinous, and are such as might have been left to the law to deal with as misdemeanours or felonies. These are—"To counterfeit the King's great or privy seal, or his money; knowingly to bring counterfeit money into the realm; to merchandize or make payment in fraud of the King and his people; to slay the chancellor, treasurer, or the king's justices of the one bench or of the other, or justices in eyre, or of assize, or any other justices assigned to hear and determine, being in their places doing their offices." All these were by statute determined to be treason that extends to our Lord the King and his royal majesty.

treason must be tried by his equals.

A very important addition to the machinery for judicial administration was made in the time of Edward III., by the institution of Justices of the peace. There had long been Conservators or Keepers of the Peace; and, generally speaking, the commission of any crime forbidden by the law of the land was considered to involve a breach of the King's peace. Some of the old Guardians or Keepers of the Peace were so by virtue of the offices which they held, as the King's Judges of the King's Bench, and the Sheriffs and Constables of each district. Others were elected in the county courts by the attending suitors to the special function of keeping the peace. They all had power to commit to custody any person, whom they saw in the actual commission of crime; and they might compel such wrong-doer to give sureties for keeping the peace, under the penalty of imprisonment. By a statute passed in the 1st year of Edward III.'s reign, at the instigation of those who then administered the government, power to appoint Conservators of the Peace was given to the

Justices of the Peace.

Old Conservators of the Peace.

Their appointment vested in the Crown.

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Their powers increased.

Crown; and three years afterwards the Keepers of the Peace received authority to take indictments. They next had power given to them to try and to determine felonies and trespasses against the peace; and they further received the very important authority to require persons of suspicious character, but against whom no specific charge was preferred, to find surety for their good behaviour, under pain of being detained in custody. Many other important duties were soon assigned to these Justices of the peace, to be performed by them summarily.

Although the Justices were and are nominated by the Crown, it was required by law (and still more strongly by popular feeling and custom) that they should be men of the most substance and wealth in the county or other district, for which they were to act; and thus an institution, which nominally is extremely monarchical, assumed and has maintained a very aristocratic character.*

Statute 36 Edw. 3, statute 1, c. 15, orders pleadings to be in English.

One statute of this reign is of peculiar interest, as showing how completely the English language had in the middle of this century become the mother tongue of all classes of the nation,† and as proving the disuse of

* See Stats. 1 Ed. 3, c. xvi.; 4 Ed. 3, c. ii.; 18 Ed. 3, s. 2, c. ii.; 34 Ed. 3, c. i., and Reeve, Hist. Law, vol. ii. p. 328, Finlayson's edition. Mr. Reeve thus discusses the state of the commission of the peace at the end of this reign:—"The keepers of the peace were become justices, presiding over a court, where many matters of considerable importance to the order and quiet of society were cognisable, besides the important jurisdiction over felonies and trespasses. The consideration of these magistrates was greatly heightened by the accession of business that was thrown on them by later Acts of Parliament, which have gradually entrusted them with matters of very material concern to the property and liberty of the subject."

† How far this was the case at the beginning of the 14th century has been alluded to in vol. i. *supra*, p. 483, and note.

The collection of Political Songs, edited by Mr. Wright, contains compositions of various dates between 1338 and the end of the civil wars of the Roses. Mr. Wright observes in his introduction that "One circumstance strikes us especially when we run our eye through this collection of Political Poems and Songs—the entire disappearance of the Anglo-Norman

French. In a Parliament held in 1362, it was enacted that the English language should be thenceforth used in pleadings in the courts of law, instead of French as heretofore.‡ The statute recites, as a reason for this change, the fact that the French tongue had become too much unknown in the realm for the suitors in the courts to understand what was said for or against them in French by their serjeants and other pleaders."

Disuse of French in English society, the reason for the change.

The statute-book of this reign contains many enactments on the subject of the "Staple," a word now used only in a sense different, though derivative, from

The Statutes of the Staple.

language. Throughout the whole series there are only two pieces in any dialect of the French language, and those, though intimately connected with English politics and history, were both composed abroad. On the other hand, the Latin language predominates largely during the whole of the fourteenth century, and even during the earlier part of the fifteenth. This indicates, no doubt, the very deep interest and active part taken by the educated classes—those whose minds had been formed in the universities—in the political events of the time, and it shows further a considerable degree of mental cultivation among the aristocracy in general, to whom many of these Latin poems are addressed. It is probable that this was much less the case as we approach the age of the Wars of the Roses, when we find Latin rarely used in these Political Poems, and the few cases in which it is used are of a specially clerical character."

‡ The statute (itself speaking French) says "Les leyes custumes et estatutes du dit realme ne sont pas conuz communement en mesme le realme par cause quils sont pledez montrez et juggez en *la lange Francois qest trop desconue* en le dit realme."

Though the evil of the statutes being promulgated in a language unknown to the people is here confessed, they were still so promulgated during several subsequent reigns. French had become the technical language of English lawyers, and the "Serjeants and other pleaders" continued to be familiar with it, long after it had become an unknown tongue to their clients. The reports, treatises, and abridgments compiled by our lawyers continued to be in old Norman French for many centuries.

Latin continued long to be the language which churchmen and scholars employed throughout Europe. It was also until a very late period the universal language of diplomacy, and of treaties.

There are some valuable remarks in Palgrave (Hist. Normandy and England) on the adequacy of Latin as the universal language of the educated classes in Europe, so long as the divine, the metaphysician, the jurist, the statesman, and the natural philosopher coined freely new words for new objects and new thoughts. The destroyers of Latin, as a living language, were its so-called restorers, the classicists of the fifteenth and sixteenth centuries.

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its old meaning, which was that of mart or market. It indicated the places at which the principal products of a country were brought for sale to foreign as well as to native merchants. Afterwards the word was used to denote the principal articles of merchandize themselves.

Supposed convenience of the Staple for traders.

In the thirteenth and fourteenth centuries it was thought advantageous for the traders, that the wholesale traffic in these articles should be centralized at particular ports and cities, and forbidden to be carried on elsewhere.

Its certain convenience for tax-gatherers.

Such a course was also found extremely convenient for the sovereign, as greatly facilitating the collection of the duties levied on such merchandize. Some of these privileged marts had been in England, and some in cities of the continent not remote from England. The opinion that the system was favourable to commerce was not universal; and in the second year of Edward III.'s reign those, who were in the possession of the chief power in England, procured or suffered a statute to be passed, by which "the staples beyond the sea and on this side, ordained by kings in times past," were made to cease, and free liberty of passage and traffic throughout England was given to all merchants after the tenor of the Great Charter.

All Staples to be in England.

In the 27th year of Edward's reign the old theories had come to life again; and the staples and the restrictions against trafficking elsewhere were restored. It was also resolved to fix all the staples within the king's dominions, in order that the realm might benefit by the augmented traffic, which would thereupon be carried on within the English territory. Numerous rules, for the most part sensible and fair ones, were enacted for the mode of administering justice between the English vendor and the foreign purchaser at these markets. There are also

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many regulations on details that have ceased to have any importance or interest; but we have good cause to value the unquestionable testimony, which the Statute gives, as to what were then the principal articles of merchandize produced in our country; and as to what were then the principal towns in England and in Ireland. This is proved by the list of places selected as staples. The Statute orders that wool, leather, sheepskins, and lead should be brought for sale to Newcastle-upon-Tyne, York, Lincoln, Norwich, Westminster, Canterbury, Chichester, Winchester, Exeter, and Bristol, in England; to Caernarvon in Wales; and to Dublin, Waterford, Cork, and Drogheda, in Ireland. Six of the English Staple towns had ports assigned, to which the staple merchandize was to be carried for shipping. Hull was the port-town for York, Boston (then called St. Botolph) for Lincoln, Yarmouth for Norwich, Sandwich for Canterbury, Southampton for Winchester, and London for Westminster. The boundaries of the staple at Westminster were to begin at Temple Bar and to extend to Tothill. In other places the staple was to be co-extensive with the walls of the town.

Historical evidence supplied by the Statute of the Staple.

Chief products of the realm.

Chief towns of the realm.

Edward's zeal for the advancement of trade and commerce is also attested by measures of more certain wisdom than those on the subject of the staple. He founded the manufacturing power of England.* Before his time the wool produced here was generally exported in a raw state, to be wrought into fabrics in some of the great Flemish cities. But in 1331 Edward brought a large number of Flemish weavers into this country. He protected them from the jealous opposi-

Other measures of Edward in favour of trade and commerce.

Introduction of foreign artizans.

* Some foreign artizans had settled here before his time, and some of our manufactures are of earlier date. But the substantial manufacturing interest of the nation dates from his reign.

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tion with which the English guilds and corporations at first harassed these new settlers; and the native artificers learned from them to imitate and surpass the skill and energy of their foreign rivals. The export of English cloth before long exceeded that of the raw material; and our woollen manufactures were sold in large and continually increasing quantities in the mercantile cities of the countries round the Baltic, as well as in those in Germany and Flanders.

Importance of the woollen manufactures.

Many enactments of the nature of sumptuary laws are to be found in the statute-book of this reign; and many, by which the King and Parliament strove with little effect and less utility to regulate the details of commercial proceedings and of almost every tradesman's every day business. One of the most remarkable pieces of legislation of this kind is an Act passed in the 37th year of Edward III. Besides minute regulations as to the apparel and diet of the various classes of the community, and as to the prices at which many specified articles were to be sold, it recites (cap. 5) that much mischief had been done to the realm by merchants, called grossers, engrossing all manner of merchandize and raising the price thereof, according to a combination and government made among them called their Fraternity or Guild. It then orders that every English merchant shall deal in one kind of merchandize only, and that each should choose before the then next Candlemas Day what his particular merchandize should be. The Act further ordered that artificers who had a mystery or craft (the two words are synonymous) should keep each to a single craft, and should elect before next Candlemas what his craft should be. An explanation or exception was added, declaring that this restriction was not intended to apply to women, who worked in brewing, in baking,

Frequent legislative interference with commerce and trade.

Law as to diet and dress, prices and wages.

Attempt to limit every merchant to one kind of merchandize.

Each artizan to be limited to one craft.

in weaving, spinning, or in other work upon linen-cloth and silk, or wool, but that these and other workwomen might work freely as before. The Commons petitioned in the next year against the oppressiveness of this law; and a statute was then passed which directed (38 Ed. 3, c. 2) that "as to what had been ordained in the last Parliament respecting living and apparel, and respecting no English merchant practising more than one kind of merchandize, it was now ordained that all people should be free as they were at all times before the said ordinance, namely, as they were in the time of the king's grandfather, and his other good progenitors; and that all merchants, as well denizens as aliens, might thenceforth sell and buy all manner of merchandize, and freely take them out of the realm (with certain specified exceptions) on payment of the customs and subsidies due thereon.

Partial repeal of this law.

The complaint which we have read in this old act of the enhancement of prices in consequence of the trade-regulations, which the Association of Merchants, against whom the act was specially directed, made in their "Fraternity or Guild," is, I believe, the earliest instance in which the Parliament notices these remarkable institutions, the trading guilds. These guilds exercised great influence, both socially and politically, over mediæval Europe; and the attention of learned and thoughtful men* has of late been wisely directed to them, not as mere matters of antiquarian curiosity, but as throwing valuable light

Account of the Guilds.

* See particularly Dr. Brentano's Essay on the History and Development of Gilds, in the volume entitled "English Gilds," edited for the Early English Text Society by the late Mr. Toulmin Smith, with an introduction to the subject by his daughter.

Much information as to the guilds and civic government of London will be found in Mr. Riley's edition of the "Liber Albus" in the Rolls Publications, and in his Memorials of London.

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on some of the most important practical questions of the present time, as to capital, labour, and trades-unions. In these pages we can only sketch the craft-guilds of the English towns. The progress and development of the guild system here differed as to several points, from those of the guilds which existed in most of the cities of the Continent.

The original Social Guilds.

The original English guilds appear to have been Institutions of Local Self-help, like the Friendly Societies of modern times. They were supported by the regular contributions of the members, and by the revenues of the property, which they gradually acquired. Help from their funds was given to sick, or otherwise necessitous, members; burial expenses were provided. The guilds had their feasts, their pageants, and their religious meetings. Guilds of this kind, unconnected with trade, continued to exist; but there grew up also associations called guilds, formed of those who practised the same handicraft, or who followed the same business in a city, and who combined together, not only for charitable and festive purposes, for mutual protection, and help, like the social guilds, but also for political co-operation, and for the management of their common handicraft or trade. Generally in mediæval times the men who followed the same calling lived in the same street or quarter of the town, as the names of localities still abundantly testify.

The Craft-Guilds.

Their growth and power.

These craft-guilds became gradually the dominant bodies in the towns; and in England their ascendancy was completed during the fourteenth century.* Their

* Dr. Brentano refers to the ordinance of the London citizens in Edward II.'s time, that no person, whether an inhabitant of the City or otherwise, should be admitted to the freedom of the City unless he were a member of one of the trades or mysteries, as showing already the pre-

number, their rules, and their wealth are clearly and fully proved by the returns made by them to the Parliamentary enquiry respecting "the ordinances, usages, and properties of English guilds," in the 12th year of the reign of Edward III.'s successor.

Monopolizing and restrictive spirit of the Craft-Guilds.

One great principle of the craft-guild system was, that the guild of each craft or trade in each city should have the full control of that trade in that city. In some cases complete monopoly was aimed at, and for a time was attained. Almost always, by means of the influence which the guilds exercised over the local municipal governments, the labourer, or artisan, or trader, who did not belong to a guild, was subjected to burdensome disadvantages, and to vexatious and debasing regulations. As the guilds became more and more powerful and wealthy, the spirit of oligarchical jealousy prevailed in a continually-increasing degree. It was made more and more difficult for all who were not of the families of the Guildsmen to obtain admission into a guild. A long term of apprenticeship was required; and many narrow regulations were made as to who should be eligible to be received as apprentices, and as to the number of apprentices that each master should be allowed to take. The mere day-labourer for wages, the journeyman, was to be treated very differently from the apprentice. For example, the "Articles" of the London Guild of Bladesmiths order that "No

Disadvantages of the labourers.

ponderance of the craftsmen. But the completion of their triumph may be seen by the account that "in the 49th Ed. 3 an enactment passed the whole assembled commonalty of the City by which the right of election of all City dignitaries and officers, including members of parliament, was transferred from the ward representatives to the trading companies. In the year following, the number of the companies which took part in these elections was increased from thirty-two to forty-eight."—Dr. Brentano, cxi., citing Herbert, "History of London Companies," vol. i. 32.

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one of the said trade shall teach his journeyman the secret of his trade as he would his apprentice."*

Oppression of little retail tradesmen.

The rules against "regrators," with which the civic legislation of those times abounds, are, I think, rightly considered to have been mainly designed to repress and weaken the class of little retail tradesmen (who generally rise out of the most industrious and frugal rank of journeymen), and to keep all the profits of trade in the hands of the craftsmen of the guilds, who were all to some extent capitalists, even by virtue of their share in the guild property.

We shall have occasion to advert again to the position of the unprivileged classes of the inhabitants of towns, when we come to the insurrectionary movements in Richard II.'s reign. For the present we will turn to the state of the craft-guilds, considered with reference to the guildsmen themselves.

Restrictive inner legislation of the Trade-Guilds.

The perpetual presumption of fraud.

These privileged traders and artificers were themselves under codes of local laws, that interfered (as it would seem to us) with almost all freedom of action in business, and with many matters of the daily internal economy of every household. The law-makers (both the parliamentary and the municipal law-makers)

* See Brentano, cxli. He refers to Riley's Memorials, p. 570.

With respect to the relation between the members of the guilds and the increasing numbers of unprivileged labourers, Dr. Brentano considers that there was "A degeneration of the Craft Gilds, which in certain places and in certain trades commenced with the 14th century." The Craft Gild had been originally a brotherhood of all, high or low, who worked in the same trade in the same place. It became an oligarchy of capitalists. "If originally the capital required for carrying on a craft was but insignificant, and was possessed by the majority of the lower classes of the townsmen, yet this state of things was changed with the advance and flourishing of trade and the increase of riches among craftsmen. But in proportion as a trade advanced, and acquired wider markets, it afforded greater opportunities for the employment of capital; and in the same proportion the Craft Gild changed from a society for the protection of labour into an opportunity for the investment of capital."

of the fourteenth century, thought that it was in their power, and that it was also their duty, to ensure by ordinances and penalties men's good conduct towards their neighbours and fellow-townsmen in numberless matters, which the superior wisdom, or the inferior philanthropy of modern times leaves to private good-feeling, and to the influence of public opinion. The mediæval law-makers were especially busy in regulations about the fairness of sales, and as to the quality and just measure of manufactured articles. They seem to have thought that in every bargain of buying and selling, of letting and hiring, or of work and employment, there was such a strong instinct to cheat on the part of the seller, the letter, or the worker, that his customer was sure to suffer grievous wrong, unless the law interfered in his behalf, by rigidly defining the place, time, and manner of bargaining, and by a severe and searching code as to weight and measure, as to official testings of quality, as to methods and fashions of work, as to tariffs of prices and rents, and as to rates of wages, and hours of labour. At the same time the guilds (those, at least, that were guilds of handicraft,) discouraged any attempt made by individual members to advance themselves above their fellows by superior industry. The length of time for which it was permissible to work in many occupations was limited; and the observance of specified long holidays was made compulsory.

Rules limiting hours of labour.

Notwithstanding the unwise interferences of the King and Parliament, and notwithstanding the still more injurious oppressions, which the guilds and other associations practised, each in its local sphere, there was a great development of the industrial resources of the nation during this reign; and the mercantile classes in particular acquired very considerable ad-

General increase of trade and commerce, and of the importance of the mercantile class

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in Edward III.'s reign.

vancement in wealth and power.* The increase of intellectual activity, which the growth of commerce indicates, showed itself also in the development of our literature, in the state of our educational institutions, and, above all, in the spread of an inquiring, independent, and agitating spirit as to ecclesiastical subjects. The history of the English language and literature and learning during the fourteenth and fifteenth centuries will be treated of in a chapter at the end of this volume; and the nature and effect of the teaching of Wyclif will hereafter be specially considered. But this is the fitting place for noticing the relations, during Edward III.'s reign, between the English State and Church on the one hand, and the Papacy on the other; and also for briefly considering the hostility towards the power and wealth of churchmen in general, especially of the dignitaries of the English Church, that began to show itself in England.

Increased intellectual activity.

Ecclesiastical politics.

Resistance to the Papal aggressions.

The determined resistance to Papal encroachment and rapacity, which the English State, and (with a few exceptions) the English clergy, had shown during the reign of Edward I., but which had been intermitted

* Macpherson (Annals of Commerce, vol. i. p. 548) refers to the large sums which English merchants were able to lend to the Government in the first year of Richard II.'s reign. "Formerly," as he states, "when the Kings of England borrowed money, they got it chiefly from the clergy, because they were almost the only people who had money." He might have added that they were forced to borrow also from foreign merchants and bankers. He cites (p. 570) as a proof of the opulence which some of the citizens of London had attained before the end of Edward III.'s reign, the magnificent entertainment which Henry Picard, a London merchant, gave in the year 1363 at his own house in the Vintry, "to which he invited his sovereign the King of England, the Kings of France, Scotland, and Cyprus (all three then visitors at the Court of England), the Prince of Wales, and many of the nobility; his wife at the same time giving another entertainment in her apartments, I presume to the ladies. According to the custom of the age, Picard presented rich gifts to the king, the nobles, and knights who dined with him." Macpherson cites Stowe. See also Hallam's Middle Ages, vol. iii. p. 325.

when his weak and unworthy son was King,* was fully revived in the reign of Edward III.: and it was naturally intensified by the protracted French wars, and by the fact that the Popes throughout this long time were Avignonese Popes, almost all born subjects of the King of France, all elected by French influence, and all controlled and instigated by French power and French policy. The Papal practice of appropriating the revenues of the English Church, by interfering with the patronage of its most valuable preferments, had long caused indignation in England; and we have seen, as early as Henry III.'s reign, the firm opposition of Bishop Greathead to the Papal rapacity and assumption on this subject.† It was at all times felt to be an impiety and a grievance, when English money was taken to the Papal Court by means of those "Provisional" appointments, as they were termed, and paid over into the hands of aliens, who bore the title of dignitaries, and holders of livings in the English Church, but who never came near the kingdom, and who had usually purchased their appointments by simoniacal bribes to the Pope's treasurer, or to some disreputable personages who frequented the Papal Court. But this was doubly felt and resented, when the Popes, who assumed the right of providing holders of English clerical preferments, were Frenchmen; when the titular holders of these preferments were also Frenchmen; and when part, at least, of the money thus extracted from England was believed to be paid over by the Avignonese Popes to their master, the French King, and to be used by him in his wars against the English.

* Edward II. paid tribute to the Pope; and he obeyed him, though with delay and imperfectly, in persecuting the Templars. See Milman's Latin Christianity, vol. vi. 95.

† Vol. i. p. 371, *supra*.

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Statutes of Provisors and Præmunire.

A series of statutes, called generally the Statutes of Provisors, and the Statutes of Præmunire, were passed to check these abuses. They were based on a Statute against Papal Provision of Benefices, which had been enacted in the reign of Edward I. Edward III. and his Parliaments made the English law against Romish encroachments more explicit and severe; and their legislation on the subject was further sharpened by additional statutes in the reign of Edward III.'s successor.* The general effect of these statutes was to assert in strong and emphatic terms the independence of "the holy Church of England founded in the estate of prelacy within the realm of England." They declare all presentations by the Pope of Rome to English benefices, or other church preferments, to be wrongful and void. They enact that no alien shall be capable of holding ecclesiastical preferments in England. They impose the punishments of outlawry, forfeiture of lands and goods, and imprisonment on those, who, under colour of Papal appointment, molest the holders of benefices whom the true patrons have appointed; or who cite anyone in the realm of England to appear and plead in foreign courts as to the right to ecclesiastical possessions in this realm. They impose the same heavy punishments on those who obtain or accept from the Court of Rome or who make use of bulls or other instruments, or anything whatever that is derogatory to the King of England and his royal rights, or to the realm of England.

1366. The Pope claims

In 1366 Pope Urban V. formally claimed from King Edward III. the arrears of the tribute of a thousand

* See stats. 25 Ed. 1, c. 4, sect. 3; 25 Ed. 3, stat. 6; 27 Ed. 3, stat. 1; 38 Ed. 3, stat. 2; 13 R. 2, stat. 2: and 16 R. 2, c. 5. The stat. 27 Ed. 3 is the first of the Statutes of Præmunire, which are so called from the first material word of the writ by which the offender was to be summoned. The word, from denoting the process, came by degrees to denote the offence.

marks, which King John, at the time when he surrendered his crown to the Papal legate, and received it back as a vassal King under the Pope, had bound himself and his successors to pay annually to the Romish Pontiff. The English King and Parliament met this arrogant demand with a spirit and a dignity worthy of the conduct of their ancestors in Edward I.'s time, when the then Pope Boniface VIII. assumed the function of adjudicating on the English King's claim to the crown of Scotland.* Now, at the Parliament held at Westminster, in March, 1366, the three estates of England, the Lords Spiritual, the Lords Temporal, and the Commons, unanimously declared that "neither King John nor any other could put himself or his kingdom or people under subjection without their accord and assent." The Commons also resolved that if the Pope in any way attempted to enforce his pretended right, they would resist him with all their power.†

tribute from England.

Dignified and patriotic conduct of the English King and Parliament.

Pope Urban did not make any further effort. It is probable that, if he had done so, the severance of the Church of England from its old connection with the Church of Rome would have been accelerated by nearly two centuries.

Wyclif at this time was one of King Edward's chaplains. It is probable that he witnessed and heard the proceedings in Parliament on this subject; at least, he gave the form of a report of a parliamentary debate to a tract, which he wrote in support of the national refusal to pay the Papal tribute. Among the arguments and opinions which Wyclif attributes to the lay lords, who took part in the discussion, the following are some of the most remarkable:—"The Pope, by the nature of his Papal office, is incapable

Wyclif's tract against the Papal claims.

* See vol. i. p. 479, *supra*.

† Rot. Parl. ii. p. 296.

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of holding such supremacy as is now claimed by him over the realm of England. The Pope ought to be foremost in following the example of Christ, who refused all civil dominion, and had not where to lay His head. Let us hold the Pope strictly to his spiritual functions; and boldly oppose him if he comes for homage or civil power." Another speaker asks, "On what ground was this payment granted by King John? Was it to buy absolution for himself personally, or to purchase the removal of the interdict that had been laid on his kingdom? If the money was to be paid for either of these reasons, the transaction was flagrantly simoniacal. It was also most iniquitous. The penalty had accrued on account of the sins of the monarch only; but the release money is to be paid by the people. To demand it is an act of avarice." Another said: "If there is to be any sovereign lord of this realm above the King, let it be Christ himself. The Pope cannot be our Suzerain, for the Pope is liable to sin; and, if in mortal sin, would forfeit all title to dominion." The most forcible arguments are those attributed to the last speaker in the debate. He points out that the King, without the solemn consent of all orders and estates in the realm, had no power to grant away the sovereignty of the country—"the whole transaction, royal deed, seal and all, is an absolute nullity." *

* Lewis, Life of Wyclif, p. 350. Milman, Lat. Christ., vi. 107. Dean Hook (Lives of Archbishops of Canterbury, iv. 71) refers to the curious collection of political Latin verses and prose comments, which were put forth under the name of John of Bridlington, as proving the feeling which prevailed in England as to the fallibility of the Pope. "Hic est notandum quod Papa potest errare multoties contra justitiam, et excommunicare partem veram et benedicere partem falsam, et dare indulgentias pugnantibus in parte falsâ. Et tunc Deus apponit benedictionem suam parti veræ, ut alia lata a papa ei non noceat."—Political Songs, vol. i. p. 165.

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The Mendicant Friars in England, upholders of the Papacy.

The great upholders of the Papal power in England were the Mendicant Friars, whose numbers had now increased enormously, especially in Oxford and Cambridge. They almost everywhere acted as rivals and antagonists to the clergy of the Church of England in the universities and in the town parishes, as well as in those of the rural districts. They professed to look to the Pope as their great patron and ruler; they themselves disclaimed the authority of the dignitaries of the English Church; and they encouraged others to neglect her discipline. They had now acquired great wealth; and the usual consequences of wealth had followed. The higher Franciscans and Dominicans* were conspicuous for pomp, luxury, and profligacy, which their pretence of utter pauperism made more offensive to common sense and common honesty. The humbler mendicants swarmed over the land, filling every parish with able-bodied vagabonds and sturdy beggars. The English clergy were loud in their complaints against this intrusive brood, who had utterly degenerated from the spirit of self-denial, industry, learning, and charity, by means of which the early Franciscans in this country had acquired good men's co-operation, sympathy, and praise. But in the fourteenth century learned and pious men, such as FitzRalph, Archbishop of Armagh, denounced the Mendicants as dissolute hypocrites, and especially, as the pests of the universities. The extant political poems and ballads of the latter part of the century show how the common sense and common honesty of the mass of the nation

Numbers, wealth, and corruption of the Mendicant Orders.

Hostility of the English clergy to them.

Their vices satirized in the popular English poetry.

* The principal four orders in England were the Augustinians, the Carmelites, the Dominicans, and the Franciscans. These last, the Franciscans (often called the Minorites), were the most numerous and important. An account of their first establishment in England is given in vol. i. p. 366.

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revolted at the foul practices with which these cowled profligates infested English households.*

Wyclif their great antagonist.

Wyclif at the very beginning of his career was the eager assailant and the implacable enemy of the Mendicants. His warfare against them was co-equal with his life. But Wyclif did much more than attack the Orders of Friars (who might be regarded as the trained bands of the Pope); he did even more than attack the Papacy itself. Wyclif struck at the Pope, and at abuses connected with the Papacy, because they were great and flagrant abuses, such as he and all true Christian Englishmen, whether lay or clerical, viewed with indignation. But Wyclif also struck at what he deemed abuses, wherever he beheld them. Such in his eyes were the wealth, the pomp, the political power, and the worldly occupations of the higher members of the English clergy. The age was one of much prodigal ostentation, and of much corruption of morals; and, without uncharitable prejudice against the mediæval English churchmen, we must believe that they were not free from the vices of the society, with which they mingled, not as austere censors, but as participators in its ambitious contentions, its pageantries, and its festivities. In his repeated controversies with the Franciscans, Wyclif disproved and denounced the theory that men devoted

Wyclif's hostility to the corruptions in the English Church.

His views as to Church property.

* See Mr. Wright's Introduction to "Political Poems and Songs," Rolls collection, p. lxv., and see especially the song against the Friars, p. 263 of the first volume. The "Vision of Piers the Ploughman" breathes this spirit in every page. Dean Milman rightly says of its author, Langland, that "above all, his hatred (it might seem that on this all honest English indignation was agreed) is against the mendicant orders. The Friars furnish every impersonated vice; are foes to every virtue. His bitterest satire, his keenest irony, are against their dissoluteness, their idleness, their pride, their rapacity, their arts, their lies, their hypocrisy, their delicate attire, their dainty fasts, their magnificent feasts, even their proud learning; above all their hardness, their pitilessness to the poor, their utter want of charity."—(Hist. Lat. Christianity, vol. vi. p. 539.)

to the service of the Church ought to be absolute paupers and mendicants; but he wrote and preached with equal zeal against an over-wealthy clergy; and he maintained earnestly and persistently the doctrine which we have seen asserted by William of Ockham—the doctrine that temporal rulers may lawfully take, and ought to take, Church property for the safety of the Commonwealth, and that they ought to deprive Churchmen of wealth, when that wealth is misused by its holders.*

* See p. 34, and p. 194, *supra*. Wyclif's view of the true position of a clergyman as to worldly goods may best be given in Wyclif's own words. He earnestly exhorted laymen to reverence their priests, and to contribute liberally to their support. In one of his tracts he says:—"Thy second Father is thy spiritual Father, who has special care of thy soul, and thus thou shalt worship him. Thou shalt love him especially before other men, and obey his teaching as far as he teaches God's will. And help according to thy power that he have a reasonable sustenance when he doth well his office." In another tract entitled "A Short Rule of Life," he thus exhorts the clergyman:—"If thou art a priest, and by name a curate, live thou a holy life. Pass other men in holy prayer, holy desire, and holy speaking, in counselling and teaching the truth. Ever keep the commandments of God, and let his Gospel and his praises be ever in thy mouth. Ever despise sin, that men may be drawn therefrom; and that thy deeds may be so far rightful, that no man shall blame them with reason. Let thy open life be thus a true book, in which the soldier and the layman may learn how to serve God and keep his commandments. For, the example of a good life, if it be open and continued, striketh rude men much more than preaching with the word alone. And waste not thy goods in great feasts for rich men, but live a frugal life. Have both meat, and drink, and clothing, but the remnant give fairly to the poor; to those who have freely wrought, but who now may not labour from feebleness or sickness; and thus thou shalt be a true priest both to God and to man."

I have taken these passages from Vaughan's Life of Wyclif, vol. i. pp. 287, 296. Dr. Vaughan has modernised the phraseology, which is, I think, to be regretted.

Chaucer's description of the Parson among his Canterbury Pilgrims is well known. It would be impossible to heighten this character of a pious, charitable, learned, laborious curate of souls; exemplary in the discharge of every duty towards both high and low. It is a strong proof that whatever may have been the faults and vices of many churchmen, there was still much religion and worth among the rural parish clergy in this age. It seems to me extremely unfair to take (as some modern writers do) Chaucer's other descriptions (especially those of the luxurious Monk and the wanton Friar) as representations of their respective classes, and to treat his cha-

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Other assailants of clerical abuses.

The awful visitation of the Black Death in the middle of the fourteenth century made men more prone to discern and to acknowledge the existence of great national sins, and it made them also eager and severe in reprobating those who indulged in them. Without doubt, other causes, such as the greater diffusion of education, contributed in awakening this feeling, which from the period above-mentioned prevailed strongly in England, and which was augmented by other popular writers besides Wyclif, though he was its chief inspirer. The most effective, next to Wyclif, was the author of "The Vision of William concerning Piers the Plowman," * an alliterative allegorical poem, the literary merits of which will be spoken of in another chapter. It is very homely. It seems to speak out of the poor man's heart with a poor man's language. It tells the bitterness of feeling, with which the mass of the people regarded the opulence and the pomp of the Church dignitaries, of the monks, and of the hypocritical chiefs of the mendicants. It maintains the duty of temporal rulers to take away this perverted and perverting wealth. The influence of this poem was very great, as we shall see when we come to the insurrections in Richard II.'s reign. Chaucer's satirical portraits of ecclesiastical dignitaries and officials are well known; and they also attest the reformatory spirit that was active in England in the second half of the fourteenth century. But Chaucer's satire is Horatian in spirit

Langland.

Chaucer.

racter of the good Parson as exceptional. It could not have been meant as a portrait of one of Wyclif's itinerant poor priests. They were unbeneficed. (See Wyclif's tract, "Why Poor Priests have no Benefices"). Chaucer speaks expressly of his parson's "benefice," "tithes," and "Parishioners." Indeed the very use of the word "Parson" implies that he was beneficed.

* See Mr. Skeat's edition of this poem, and his remarks on its true title.

and in tone. It was written to be read with mirthful praise in courts and castles. He who wrote of Piers the Plowman, wrote to be read by traders and yeomen, and, above all, by and to hard-working, hard-faring artisans and peasants.* None but a grinning idiot could ever have smiled at the rugged strength and the fierce indignation, with which he tells the wrongs of honest poverty, and stigmatises the wrongdoers.

Prose tracts of similar spirit.

A very great number of anonymous prose tracts of this period are in existence, all of which have been usually attributed to Wyclif; but in many cases there is no evidence of his authorship, and in some cases (as in that of the well-known treatise called "The Last Age of the Church") there is strong internal proof of Wyclif not having been the writer. They all breathe the same enmity against clerical wealth, against simony, and corruption. The same is the case with regard to the many anonymous poems and songs of this period, that have lately been collected and published.† They all attest how widely and how deeply discontent with the then prevailing ecclesiastical institutions and rulers was sown among the masses of the English nation. That discontent did very much to produce the revolutionary risings, which marked the fourth year of Richard II.'s reign.

Political songs.

General and deep discontent with spiritual rulers.

Physical hardships of the labouring classes.

But it is physical suffering, that supplies the most formidable fuel for insurrection; and it is important to ascertain (so far as the means within our reach will

* Mr. Wright, in the Introduction to his edition of Langland's poems, observes, "Of the ancient popularity of Piers Plowman we have a proof in the great number of copies that still exist, most of them written in the latter part of the fourteenth century; and the circumstance that the manuscripts are seldom executed in a superior style of writing, and scarcely ever ornamented with painted initial letters, may perhaps be taken for a proof that they were not written for the higher classes of society."—p. xxvii.

† See Mr. Wright's first volume of Political Songs, &c., Rolls Edition.

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Was this period one of peculiar hardship?

permit) how far it is true that the last half of the fourteenth century was a period of peculiar hardship to the English poor. There are bitter complaints of it in the writings of the time. But such are, unhappily, to be found in the writings of every age, which depict the condition of the poor. It is to be feared that a life of anxious toil, and of frequent privation and suffering has been the lot of the mass of mankind in all countries (except perhaps some tropical regions*), and at all times. With respect to food, there is no reason to believe that the poor of England during the middle ages generally had greater difficulty in obtaining a sufficiency of daily bread for daily wants, than the poor of this country experience at the present time. But the amount of wheat purchaseable by the wage given for a day's labour (the usual test) during the last part of Edward III.'s reign appears to have been exceptionally low; and the privations caused by this, especially when contrasted with the increased pomp and luxury of the aristocracy, without doubt contributed more than any other cause to the bitterness of feeling, which then grew up in the lower towards the upper classes.† With regard to other provisions, it has been observed that there was in those ages a greater cheapness of cattle, compared with corn,

In general the mediæval poor not worse supplied with food than the present.

The last part of Edward III.'s reign exceptional.

* I have seen more human misery in a single winter's day in London than I have seen during nine years in Ceylon.

† For proof that the mediæval labourer was in general better supplied with food than the modern labourer, see Hallam's Hist. Mid. Ages, vol. iii. p. 372 (12th edition), and Mr. Hallam's note citing the researches and opinion of Mr. Malthus. See, too, Mr. Riley's Introduction (p. cxi.) to his edition of the Liber Albus of the London Guildhall. Mr. Riley gives his opinion that the London labourer, in the thirteenth and fourteenth centuries, "so far as disposing of his own labour at his own time and option was concerned, was too often treated little better than a slave; but, on the other hand, the wages of his labour appear at times at least to have been regulated on a very fair and liberal scale."

than exists at the present; and that consequently animal food must have formed a larger proportion of the labourer's diet, than now is the case in most parts of England.*

Mediæval labourer worse off than modern as to many necessaries and comforts.

But the modern rural labourer, even in the worst districts, is much better situated than his predecessor five centuries ago was as to obtaining clothes, bedding, furniture, medical aid, and many more of the comforts which are almost necessaries of life in England. The mediæval peasant's hut was a rude shed of mud and sticks, with a straw or thatched roof sheltering one large room without storeys or partitions, and without chimney.† The present general state of the habita-

* There was a great difference in the diet of the labourers and farmers before and after harvest. Their stores were frequently used up or nearly so before the new crop was gathered in; but after harvest they lived in plenty. Mr. Hallam (p. 374, n.) refers in proof of this to a very curious passage in Piers Ploughman's vision, which begins at line 280 of Passus VI. in Mr. Skeat's edition. It is cited and commented on in Ellis's Specimens, vol. i. p. 318.

† Many huts or cottages (as they were called) of this miserable kind were to be found in the towns, and there were some even in London itself (Ellis, 322) at this period. But the London houses in the fourteenth century were generally more substantial and commodious than modern writers have in many cases supposed. The party-walls were of stone, and the roofs were generally of tiles. The houses were often two and three storeys high; and each storey consisted of separate rooms. Sometimes each storey was a separate tenement, accessible by an outside staircase. Glass windows were so far common in Edward III.'s time, that the glaziers formed a mystery or craft, or, as we now should say, a City Company. Chimneys were regularly built, and seaborne coal, as well as wood and charcoal, was burned for fuel.—See Mr. Riley's Introduction to the Liber Albus.

With respect to the habitations of the upper classes, the descriptions given by the latest and best writers on the subject seem to show that the generally prevalent opinions as to the discomfort and rudeness of the homes of those days are much exaggerated. Mr. Parker, in the second volume of "Domestic Architecture of the Middle Ages," speaking of the fourteenth century, says:—"The domestic architecture of this brilliant epoch in our history is scarcely less worthy of attention than the ecclesiastical; considered as mere masonry, it is impossible to surpass the accuracy, the firmness, the high finish of the work of this period. The sculpture is equally beautiful, and in its wonderful fidelity to nature is unrivalled. Nor was the skill of the architect behind that of his workmen; the admirable manner in which the plans and designs are arranged, and the ingenuity

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tions of our poor is lamentably and shamefully bad: but it is superior, both as to comfort and as to decency, to that which formerly existed.

with which difficulties are overcome, may be equalled but cannot be surpassed." The detailed descriptions which follow in the same work of the usual number and arrangements of the rooms in a baronial castle and in a manor house, and the account given of the habits of life, and of the articles of furniture in general use, are very interesting, and show that the masters and mistresses of such houses lived in comfort and elegance, and not in mere wasteful plenty and rude ostentation.

The description which Chaucer gives of his typical franklyn, or country gentleman, is that of a man in easy circumstances in every sense of the words.

CHAPTER IV.

Practical importance of the domestic social History of England during the reigns of Edward III. and Richard II.—Unity of the subject—Beginning of the modern History of the English Poor—Diminution of villeinage in Edward III.'s time—Its causes—Growth of free peasant copyholders—Growth of a class of free labourers unconnected with the land—A class of Proletarians—Effects of changing a mass of serfs into a mass of free paupers—Prompt legislation against Vagabondage and Mendicancy—Legislation less prompt in aid of Impotent Poor—The first Poor Laws—Demand and supply in the labour market balanced before the Black Death—Half the labourers swept off by the Black Death—The survivors demand high wages—Distress of the landowners—They pass laws to keep down the price of labour, and to coerce the working classes—These continue to combine, and wages still rise—Greater rise in Prices—Increased taxation—Wide-spread discontent of 1381—Effect of writings of Wyclif and Langland—John Ball—Misconduct of government officers in enforcing the Poll-tax lights up the insurrection—Wat Tyler—The risings in Essex and Kent—Similar risings throughout England—The Kentish insurgents march on London—Peril of the young King—Demands of the insurgents—Death of Wat Tyler—His followers disperse—Insurrection when and how suppressed—Proceedings of Parliament—More labour-laws—Their inefficacy—Great increase of free labourers unconnected with the land.

Practical importance of the internal history of England, from the Black Death to Wat Tyler's insurrection.

Our attention has already been directed to some of the important social and intellectual movements of the various classes of the community in the fourteenth century. We are now to consider these things more closely, and to watch the new relations and antagonisms which grew up between Rich and Poor; we are to observe the incipient struggles between Capital and Labour; we are to see the origin of our Poor-law system, and the primary causes of the

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peculiar condition of the English peasantry with regard to the land.*

To be taken as one connected subject.

The domestic social history of the English people in Edward III.'s reign is so closely connected with their domestic social history in Richard II.'s reign, that it is desirable to take them together. The only facts of general history during Richard's reign, which it is necessary to mention before we take up this special subject, are, that Richard at his accession in 1377 was a boy of twelve years old; that disputes of parties and of faction chiefs throughout his minority were frequent and fierce; that the truce between England and France came to an end, and the renewed war was generally unfavourable to the English. War with Scotland also broke out in 1378. Another event must be noticed which was of very serious importance in general European history, and which had considerable effect in augmenting the disturbed state of public feeling in England. This was the great schism in the Papacy, which began in 1378. The validity of the election of Pope Urban VI. was disputed by many of the Cardinals, and they elected a rival Pope Clement VII. Pope Urban remained at Rome; Pope Clement fixed his residence and Court at Avignon. These two anti-Popes and their respective successors anathematised and excommunicated each other, and

Noticeable events in general history at the beginning of Richard II.'s reign.

The schism in the Papacy.

* "How was it that the English peasantry, unlike almost every other European peasantry, in becoming freed from feudal serfdom, became detached from the land, instead of remaining rooted to it as peasant proprietors?"

"How is it that England, unlike almost every other country in Europe, is divided by hedgerows into separate fields?"

These are some of the questions, for a solution of which the history of the Black Death, of the Statutes of Labourers, and of the other laws respecting the English labourers in the fourteenth century, is investigated by Mr. Seabohn in his papers on "The Black Death" which appeared in the "Fortnightly Review" for September, 1865.

each other's partisans. The English Parliament in 1378 passed a law* declaring that Urban was lawfully elected Pope, that Urban was the true Pope, and that liegemen of the English Crown who obeyed anyone else as Pope, should incur outlawry and forfeiture of lands and goods. Besides England, the Scandinavian kingdoms, the Empire, and Italy acknowledged Urban. Clement was recognised as Pope by France, Scotland, Sicily, and Spain.

Pope Urban the Parliamentary Pope of England.

We now resume the special history of the condition of the poor in England—that is to say, of the vast majority of our nation. This history of the English poor can hardly, for practical purposes, be said to begin before Edward III.'s reign; for until that period the mass of the population consisted of peasants in a state of serfdom. The relations between master and slave (whatever may be the form of the slavery) differ so essentially from the relations between employer and free working-man, that a period, during which slavery was prevalent, is of little use to refer to (so far as regards domestic and social history), by way of comparison with a period, in which slavery has become extinct, or is rapidly diminishing. But the domestic events and institutions of any Non-Servile age may throw valuable light on those of any age of a similar character. And, if we can find in a nation's history a well-defined short period, during which the majority of its serfs became emancipated, such a period is peculiarly deserving of study, as probably containing the germs, from which important institutions of after ages have been developed.

Modern history of the English poor begins in Edward III.'s reign.

The period, which begins with the pestilence called the Black Death in Edward III.'s reign, and which

* 2 Ric. II. stat. 1, c. vii.

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takes in the insurrection headed by Wat Tyler in Richard II.'s reign, may be emphatically termed a period of this kind in English history. A short glance at some preceding events, and at some that followed, may be taken in connection with our study of it.

Villeinage in Anglo-Norman England.

A description has been given in the preceding volume* of the state of serfdom or villeinage, which was the condition of the great mass of the English peasantry at the date of the grant of the Great Charter in the time of King John. Together with that description, an account was given of the numerous methods for the emancipation of serfs, which were allowed or provided by the Anglo-Norman law. The liberation of our bondmen by these means became more and more frequent during the reigns of John's next three successors; and in the reign of Edward III. it proceeded in a greatly accelerated ratio. The increase of trade, manufactures, and wealth, under this sovereign (which was spoken of in the last chapter) induced very many of the agricultural poor to resort to the towns in the hopes of bettering their condition. And, as the serf, who resided unclaimed for a year and a day in a chartered town, became free, and as nearly every town of importance had its Charter, the number of labourers who thus escaped from villeinage must have been considerable. The almost incessant warfare, also, in which England was engaged during Edward III.'s reign, must have caused the practical, though not formal emancipation of many a serf. The baron or the captain, who was bound by tenure or by express contract to bring a stipulated number of soldiers to serve the King, would hardly inquire very closely whether a stalwart peasant, who offered himself

Frequent enfranchisement of villeins.

Especially in Edward III.'s reign.

Causes of this.

The prospering towns attract the peasants.

Edward III.'s wars.

* P. 323.

as a recruit, was either villein in gross, or villein regardant. Such a soldier, if he returned from the wars, would be sure to choose for his home some part of England, where he ran no risk of being claimed as a bondman.

This was not the only way, in which King Edward's wars abroad promoted the enfranchisement of serfs at home. The King was in constant and urgent need of money for his campaigns; and many of, if not all, the barons and knights, who fought under him, must often have been in the same condition. The pomp and adornments of chivalry made the equipment of a gallant knight a costly process; and it was necessary for a captain to be liberal with his gold to his followers, if he wished to keep a powerful troop under his banner, and to ensure their loyal and zealous service. Even at home the frequency of tournaments and other pageants made knightly glory very expensive.

Freedom often sold.

One obvious mode, by which a landowner who aspired to martial renown, could raise part of the necessary funds, was to sell freedom to the serfs on his estate. They were generally annexed to the land, villeins regardants, as the law termed them; and they could not be sold away from it, like the oxen or the sheep, to the best bidder; but they could always be set free, if their feudal lord thought fit to release them: and the feudal lords were not too proud to take money for doing so. Theoretically, a serf could have no right in money or in anything else with regard to his owner; but, practically, his possession of whatever he could acquire was respected: and, as in the exactly analogous case of the Roman slaves, who purchased emancipation with their "Peculium," the feudal serfs often bought enfranchisement from their lords.

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There is documentary proof still extant that King Edward himself, when preparing for his first campaign on the Continent, raised money by taking payments (called fines) from the Crown serfs, whom he thereupon emancipated.* We may be sure that the instances recorded were not the only ones, and that Edward's barons and other military tenants-in-chief followed their sovereign's example.

Voluntary grants of freedom.

The voluntary grant of freedom by the lords as an act of Christian charity was not unfrequent; and the clergy were active in enjoining this as a meritorious deed.†

Cases of gradual enfranchisement.

But, probably, the process of enfranchisement, when caused by the bounty of the serf-owner, was in most cases gradual. The lord relaxed the severity, and diminished the frequency of the services, which he required from his villein. The nature of the service, which he continued to demand, and the time of rendering it, became settled by usage, if not by express direction and promise. It was always the lord's interest to treat his working-man kindly; and land was the cheapest article for a kind lord to bestow, and also the most useful for the serving peasant to receive. It cost the lord nothing to allow the serf a cot or hovel, in which he might dwell peaceably and securely, to let him have a plot of ground to till for his own benefit, and to suffer him to turn out a few cattle or pigs on the wastes of the

* See the entry in H. Rymer, p. iv. 20, entitled "De Manumissione Nativorum," whence it appears that the King, for fines paid, enfranchised John Simondson of Brustwyk, William Godwin, and Alan Mason of Esyngton, and their families; and that the King's commissioners had been sent into that part of England to sell manumissions to the King's serfs there.

Macpherson, in his Annals of Commerce, vol. i. p. 522, has exaggerated the force of this document.

† Mr. Hallam, in his Supplemental notes to his History of the Middle Ages, has pointed out the mistake of sneering at the English clergy for unwillingness to liberate their own serfs. A villein was real property, and as inalienable as church lands.

manor. Those indulgences gave the serf the means of living, and of bringing up a family. No one but the lord could interfere with his cottage, his land, his stock, his goods, or his savings. No one else could treat him otherwise than as a freeman; and his lord was not likely to interfere with him, so long as he rendered the customary services punctually, cheerfully, and effectively. By degrees, such a serf's well-founded expectation of entire freedom from molestation in person or in possessions, ripened into an actual right, which the law respected and enforced. If he failed to render the due services, the land became forfeited to the lord, but the tenant himself remained free. An entry was generally made in the lord's book, and a list or roll was kept in the lord's court of the services, which it was customary for every tenant of this kind to perform; and a copy of this part of the court roll became the tenant's title deed.

Growth of free copyholders out of serfs.

This conversion of villeins into copyholders was most beneficial, not only for the private interests of all concerned, but also for the public good of the country. It is probable that, besides the gradually enfranchised tenants who have been last described, many also of the serfs, who acquired immediate emancipation by purchase or by voluntary grant, continued to reside on their little tenements, performing the old services, or portions of the old services, by agreement with their late lords. These also became copyholders; and helped to make up a class of peasant proprietors of land, such as has grown up in far larger proportionate numbers in other European countries where feudalism prevailed, and where the rural labourers were once in a state of serfdom.*

* A great quantity of very valuable information on this subject will be found in the Parliamentary Blue-book of the present session (1870) on the

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Growth of a class of free labourers, unconnected with the land, and entirely dependent on wages.

But the English labourers, who escaped from villeinage by either of the two modes first mentioned, by residence in a chartered town, or by serving in the foreign wars, became labourers personally free, wholly unconnected with the land, and entirely dependent upon wages, which, for a long time, were generally daily wages. Many, also, of the other varieties of freedmen whom we have been speaking of, would become journeymen-labourers of this character. The desire for change, though sometimes comparatively dull, exists at all times among all populations of human beings. This, and many other reasons, such as the hope of obtaining higher wages elsewhere, the incapacity of the old home to contain all the members of an increasing family, the wish to avoid the consequences of a crime, or a folly, and the like, would take many free labourers away from the land on which they had been reared, to some other rural districts, or to some of the manufacturing towns or commercial cities.

Influence of the craft-guilds on the position of the labouring classes in towns.

We must remember here the important influence which the Craft-Guilds (as described in the last chapter *) acquired, during the fourteenth century, in the English towns, and how difficult it was made for any journeyman to rise out of the position of a mere labourer, by becoming a member of one of the Guilds.

Formation of a Proletarian class.

By these means, an order of men personally free, but politically powerless, nearly always destitute of land, or of stores of chattels, and with almost insu-

tenure of land in Europe. See especially Mr. Harriss-Gartnell's report on the Prussian peasantry.

The changes in the position of the peasants in Russia, which are now going on, are very interesting to the student of the mediæval history of England.

* P. 240, *supra*.

perable difficulties in the way of their acquiring them, had grown up, and was increasing rapidly in England during the period which we are considering. To use a modern phrase, there was now, in both town and country, a class of Proletarians. They were wholly unconnected with the land; they were wholly unconnected with the civic municipal institutions. The common labourer, in the fourteenth century, had no place in the shire-mote, or at the town-hall, when representatives of the Commons in Parliament were to be chosen. He could not hold any office, and he could not elect to any office in borough, in guild, in county-court, in leet, in hundred, in court-baron, in township, or in tithing. If sick or infirm, he might hope for relief from his neighbours as fellow-Christians, but he had no claim whatever on any of them as his fellow-subjects.

What is a State to do with its Proletarians? What is a State to do *for* its Proletarians?

Duties of a State as to its Proletarians.

English statesmen had not been called on to answer these questions before Edward III.'s age. Even then, the second of these two questions was, for a while, neglected, but it soon forced itself on public notice. From the times when these questions were first raised, they have never ceased to be the most urgent and the most embarrassing questions of English statesmanship. The long array of our Statutes teems in every volume with attempted answers to them, attempted answers in the form of Statutes of Labourers, of Poor Laws, of Vagrant Laws, of Criminal Laws manifold in kind, of Emigration Laws. May the new response, which is now being attempted, of Education Law, prove more successful than its predecessors! Yet it is an almost hopeless task, to try to dignify the mind, while disease and want debase and destroy the body.

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When the condition of the great mass of the population was changed from that of serfdom to that of poor freemen, the three next-mentioned important consequences, among others, followed.

The impotent poor among the free labourers are worse off than the impotent villeins.

1st. Those who, by reason of age, sickness, or other infirmity, were unable to work,—the Impotent Poor, as the term is,—were in a worse state, as to obtaining relief, than they, or their ancestors, had been while serfs.

Increase of vagabondage.

2nd. There was a great increase of Vagabondage in the realm.

Increase of mendicancy.

3rd. There was a great increase of Mendicancy.

1st. While the poor were serfs, they knew where to look for help against the miseries of extreme want and destitution. The villein was the property of the lord, and the lord took care of him as such. In the case of a serf disabled by temporary illness, or by accident, it was the lord's interest to get him cured and restored to working condition. And, with regard to the aged and incurably sick, though the law did not impose any punishment on the master who suffered his villein, when in that state, to die of want, yet there was a general sense that it was the lord's duty to provide for him; and we have no reason to believe that this duty was often neglected. We certainly do not read any complaints respecting useless villeins being evicted from their little holdings: and some small occasional help from the manor house in food and raiment, superadded to the aid of their relatives and neighbours, and to the charitable offices of the clergy, was probably all that was needed for their maintenance there. But the situation of the disabled free labourer was very different. He had no feudal master to look to for protection and

assistance; and if, as was often the case, he had wandered from his old neighbourhood in search of work, or from other motives, he might suffer and starve unheeded, when illness or old age came upon him. In such case he had no relief to hope for, except the alms that he could beg from a passing stranger, or the meal of broken victuals, and the night's lodging, which he could find at some monastery or chantry.

Increase of vagabondage.

2nd and 3rd. When a man had ceased to be a villein, *Ascriptus glebæ*, a serf bound to the land which he tilled, his first natural wish would be to use his newly-acquired liberty. Other influences, home-keeping influences, would, no doubt, often prevail over this; but in many cases it would make the man more or less migratory. Hence, and from the causes mentioned lately, the number of wandering poor in England increased enormously, as serfdom diminished. Part of these were men of industrious and honest habits; but very many were men averse from steady industry and its restraints, prone to beggary, quickly lapsing into vice and crime, and often forming gangs of systematic highway robbers and housebreakers.

Increase of mendicancy.

Speedy legislation against vagabondage and mendicancy.

This increase of vagabondage and mendicancy among the lower orders soon raised alarm among the middle and upper classes, as is abundantly testified by the Statute-books of Edward III. and Richard II.'s reigns. The other evil, of which we have been lately speaking, that of the increasing misery and destitution of the Impotent Poor, was probably felt, and severely felt, by the poor themselves, before it so far attracted the observation of those in easier circumstances, as to cause legislative efforts to relieve it. But I do not think that there ever was a time in England, when the

Legislation to relieve impotent

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poor more tardy. English lawgivers not wholly indifferent to them. Their gradual attempts to relieve them.

starvation of poor people, unable to work, though not unwilling to work, was regarded by our law-makers with indifference ; or when it would not have been felt to be a national crime, bringing down God's judgments upon the land, if such a state of things were allowed to continue, without attempts being made to remedy it as soon as fully known. We shall see that exceptions from the new penal laws against mendicancy were made in favour of the impotent poor ; and that a kind of legislative encouragement was given to the inhabitants of each district to aid by their alms the really necessitous paupers of their neighbourhood. Those, who made the laws, seem to have believed that the almsgiving of a Christian population, and the aid afforded by the hospitals and other charitable institutions, which had been founded in the realm, would be sufficient for the relief of the sick and aged poor. This proved not to be the case ; but the deficiency was thought to have been caused by the abuses which had grown up in the administration of these charities. A statute passed in 1414,* in words which sound like a confession of national sin, recites the decay of hospitals, and the malversation of charitable endowments, which the founders had designed "to sustain impotent men and women, lazars, men and women out of their wits, and poor women with child, and to nourish, relieve, and refresh other poor people in the same." It goes on to state that in consequence of these charitable institutions being decayed, and their revenues perverted, "Many men and women have died in great misery for default of aid to live and of succour,—to the displeasure of God." The statute then orders inquiry and reform to be had as to the funds and the governance of these institutions.

* 2 Hen. V. 14.

A long time passed away before compulsory taxation for the relief of the impotent poor was introduced. This was first done by a statute passed in the fifth year of Elizabeth, and it was thoroughly established by the great poor-law passed near the end of her reign. In the interval, several laws had directed the clergy of each parish, and, if needful, the bishop of the diocese, to stir up the charity of the parishioners for the aid of their helplessly necessitous brethren. The 27 Hen. 8 deserves attention among these statutes, as it imposed a penalty on promiscuous almsgiving. But I have been led to speak of dates beyond the proper compass of this chapter and this volume, and I return to the state of the poor in the fourteenth century.

Compulsory taxation for relief of the poor at last found necessary.

We have seen that with the extensive decrease of serfdom came the difficulty of the distressed state of the Impotent Poor. The other great difficulty, which the framers and administrators of poor laws in modern times have to meet—that of how to deal with the able-bodied poor, who are willing to work, but cannot obtain employment—is a difficulty that was scarcely felt in mediæval times. Although the amount of capital and the demand for labour, which then existed, were far, very far less than what exist now, the proportionate difference between the scanty population of those days and the overflowing numbers of our present population is greater still.

The modern Poor-law difficulty of men able and willing to work, but unable to obtain work, not felt in mediæval times.

It does not appear that in the mediæval times generally, or in the earlier part of the fourteenth century in particular, there was any serious disproportion between the demand for labour and the supply of labour. There is no legislation, there are no recorded complaints or petitions, there are no expressions of chroniclers or of other writers, that would lead us to

An able-bodied labourer could find employment.

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Also, before the Great Pestilence of 1348 employers could find a sufficient supply of labour.

suppose that before 1349 an able-bodied man, who was willing to work, had any difficulty in finding work. Another fact seems equally clear (and it is a fact of great importance with regard to the state of things after the Great Pestilence), namely, that before the working population was diminished by the Black Death in the last-mentioned year, the landowner, the merchant, and the superior tradesman were able to find labourers in such numbers, and to get their work done on such terms, as left the capitalist (whether his capital was in land or in chattels) a fair beneficial return.

We now come to consider more fully than before the effects (both the immediate and the permanent effects) of the destruction of one-half of the labouring population by the Black Death, of the change in the condition of the survivors, of the legislation, and of the other events that followed. Several of these topics have been already incidentally noticed. They now must be dealt with more carefully, and in their natural connection with each other.

Number of the population before the Black Death.

First appearance and progress of the Pestilence.

The number of the population of England in the beginning of 1348 was, I believe, from four to five millions.* The Black Death appeared first in England at Dorchester, in August, 1348. It reached London in September; and, after raging in almost all parts of the country, but not everywhere at the same time, it seems to have abated, and ceased about the end of 1349.† This visitation, which lasted for about sixteen or seventeen months, was by far the most devastating. The epidemic returned again in 1361, in 1369, and in

* See the papers on the Black Death by Mr. Seebohm in the "Fortnightly Review" for September, 1865. He gives what appear to me to be very strong reasons for the estimate which I have adopted.

† Hecker, in his work on the Epidemics of the Middle Ages, translated by Dr. Babington, says that the first pestilence of Edward III.'s reign

1375; but the great havoc of the people, and the consequent legislation about labour, were caused by the first outbreak. The assertion that more than half of the population was destroyed appears at first to be hyperbolical, but there are very strong proofs that it is by no means exaggerated.* The mortality among the poor was proportionally far greater than among the rich. The deadly power of epidemics is generally felt most fatally by the classes that are the worst fed, the worst clothed, and the worst housed; and it is especially noticed by writers of the time that while workmen and servants perished in large numbers, very few of the wealthy were carried off by the Black Death.

Numbers destroyed by it.

The poor most affected by the Pestilence.

The result was, that on the part of the landowners and other proprietors, there was the same need for obtaining work, while the number of those who could supply work was diminished by one-half. This surviving half of the labourers found themselves suddenly in a position to demand almost any terms they pleased for their labour. They made the most of the new state of circumstances, and they required wages which could not be paid without much distress to the employers of labour. The distress of the proprietary classes was increased by their being obliged to lower the rents, and to relax the services which they had been accustomed to receive from the occupiers of their

The result is, there is the same amount of demand for labour, but only half the supply of labour.

The surviving labourers demand high wages.

The tenants also combine to obtain a lowering of rents,

ended in England in August, 1349. Mr. Skeat, in his note to his recent edition of the Vision of Piers the Ploughman, says (p. 120) that this pestilence terminated on the 29th of September, 1349. But it certainly was not wholly extinct at the beginning of the following December. The King in a proclamation dated of the 1st of that month says, "Non modica pars populi regni nostri Angliæ in *præsenti* pestilentiâ est defuncti."—See Rymer, vol. iii. p. i. 51.

* See p. 156, *supra*; and see the facts and figures collected by Mr. Seebohm. They are very convincing. Add to them the specific figures given by Knighton (p. 2688) as to the numbers that died in the several parishes in Leicester.

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and a diminution of services.

lands. The small tenantry, the copyholders, and the yet unemancipated serfs, made common cause with the free day-labourers, and they all took full advantage of the crisis. They threatened to abandon the land, unless the rents were reduced, and the services made more easy.*

A thirty years' war between Capital and Labour: from the Black Death to Wat Tyler's rebellion.

Our history now shows us a great drama of a Thirty Years' War between Capital and Labour. Its first scenes are occupied with the combinations of workmen against employers, which began after the ravages of the Black Death. Its last act culminates in the insurrection of 1381, and the terrible reprisals, which the victorious upper classes exercised upon the defeated peasantry. It is always to be remembered that we learn the story of this struggle from writers of one party only. The statesmen who drew up the proclamations, and ordinances, and statutes, were all capitalists. The interest and the sympathies of the writers of chronicles were all on the side of property. No one has reported the reasonings of the peasants and artizans among themselves, when they agreed to stand out for high wages; or their arguments (such as must in the nature of things have sometimes occurred) with their late employers, as to the terms on which they should resume work. Before we judge the merits of the actors in this strife, it is right to remember the one-sided nature of the evidence; but I think that

One-sided nature of the history of this struggle.

* "Magnates regni et alii minores domini, qui tenentes habebant, pardonarunt reditum de redditu, ne tenentes abirent pro defectu servorum et caristia rerum. Quidam medietatem redditus, quidam magis et quidam minus, quidam per ij annos, quidam per tres, et quidam per unum, sicut poterant cum eis convenire. Similiter, qui habebant de tenentibus totius anni diætas totius anni, ut assolet de nativis, oportebat eos relaxare et remittere talia opera, et aut penitus, pardonare aut sub laxiore modo in parvo redditu ponere, ne nimia et irrecuperabilis ruina fieret domorum, et terra ubique totaliter remaneret inculta. Et omnia victualia, et omnia necessaria devenerunt nimis cara."—*Knighton*, 2601.

some modern writers go too far when they assume, without proof, that very many kinds of unrecorded misconduct had been practised by the employers towards the employed; and when they maintain that the government could have no right whatever to interfere with the labour-market, however high might be the price which the working-men suddenly put upon their services, and however pernicious to the public welfare might be the general cessation of labour.

Modern principle that the government is best which governs least.

The modern principle certainly is, that the labour-market should be left to itself; and that wages may be safely permitted to rise and fall according to the state of the balance between demand and supply. No inconvenience, at least little or no general and permanent inconvenience to employers, may be felt to proceed from following this rule in an old and thickly-populated country, where the competition of millions to obtain work is vehement, and almost incessant. But, if from the peculiar circumstances, in which a State may be placed at some crisis, the labouring classes obtain, and exercise the power to refuse capriciously, or to grant only upon extortionate and precarious terms, the labour, which is necessary for the general maintenance of the community, it is the right and it becomes the duty of the governing body of the State to interfere.

Modern circumstances not like the old ones.

Modern competition for employment.

Possible reversal of competition.

Occasional State-duty to interfere.

The poor man's power to work, is property.

It has the same right as other property.

But it has also the same liabilities.

It has been truly said, that the able-bodied poor man has property; and that his capacity for labour is his property, of which the law should leave him the free disposal, as it does to the owners of other property. The meaning of this, when correctly understood, is not that the labourer should be absolutely and always free from all State interference in the disposal of his labour, but that he should be subject to the same amount, and to only the same amount of State interference in

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respect of it, which the landowner or other capitalist is subject to in respect of his land and his other wealth. If, for example, the landowner perversely refuses to part with his land at a fair price, when needed for a new road, or other object of great public utility, the State interferes with his right of property, and compels and regulates the sale of the requisite land. The right to compel and regulate the sale of labour rests on precisely the same principle; namely, on the principle that private selfishness should not be allowed to hinder or destroy great public good. But security as well as liberty are so seriously impaired, when such State interference becomes frequent, that it ought to be exercised in cases only of very great importance and emergency, and in cases only, where there is no reasonable hope of the desired object being obtained by the agency of voluntary contract. Every precaution ought also to be taken that the free-will of those, upon whom such legislation is to operate, shall be coerced to the least possible extent, and in the least vexatious manner, which may be consistent with the success of the measure which it is determined to carry into effect. All possible fair compensation should be peremptorily secured; and the most effective safeguards established against the abuse of the arbitrary power which is called into existence.

Peril of frequent interference with such rights.

Cautions to be observed.

The statesmen of Edward III.'s age had far better means than we can possess for judging the amount of urgency, which then existed for State interference with the labourer's right to sell his labour only to such persons, and only on such terms as he pleased. We know as a recorded fact, that in 1349, abundant harvests were rotting on the ground in many districts, because no labourers could be obtained to gather them.*

Edward III. and his statesmen could judge better than we can whether a labour-law was needed.

* Rot. Parl. iii. p. 21; and Knighton, 2699.

There is proof, also, that in the following year much of the land, that ought to have been producing a new crop, was left uncultivated and unproductive.* A Government is certainly justified in taking strong measures to prevent a famine. And it may well have behoved the rulers of the people not to suffer the people's food to perish, and not to permit the stoppage of the thousand daily works on which a nation's daily sustenance depends;—not to allow the whole organization of civilized society to be thrown out of gear, if it was in the power of those rulers to save England from such calamities, by compelling a class of the population to resume the toils, to which that class had been accustomed, on fair and liberal terms of remuneration.

Injustice of the provisions of the labour-laws that were enacted.

But, though it may be easy to perceive that there was possibly, and probably, a sufficient need for the passing of *some* labour-law on this occasion, it is impossible to defend the terms of the ordinances and statutes, which actually were decreed, or the spirit, which the legislation of the rich as to the poor, of the lords of the soil as to the tillers of the soil, of capitalists as to manual workers, rapidly and perseveringly assumed. It was all one-sided legislation. Rates were fixed, at which the labourer was bound to work; but there was no law requiring proprietors to give the labourers work at those rates. There was a statutory maximum of wages, but no minimum. While rightly endeavouring to repress vagabondage and mendicancy, the landowners showed also a strong desire to secure for themselves a cheap supply of labour in each district, by circumscribing all poor men's liberty of movement and of residence. This system of restricting the labourer to one locality was long persevered in; and was de-

Attempts made to confine the poor of each district to their own locality.

* Rot. Parl. ii. p. 227.

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veloped some centuries afterwards in the harsh and oppressive Poor Laws as to settlement and removal; laws that have not been materially mitigated until quite recently in our own days.

These restrictions were the germs of the oppressive Poor Laws as to settlement and removal.

The violence of the plague in 1349 prevented the meeting of Parliament according to notice, and King Edward, by the advice of his Council, put forth an Ordinance, which is called (inaccurately) in our Statute Book the Statute of Labourers passed in the twenty-third year of Edward III.* It deserves very careful attention. It recites thus—"Since a great part of the people, and chiefly of the working men, and of those who do service, have lately died of the Pestilence, many seeing the necessity that masters are in, and the scarcity of servants, have refused to serve, unless they receive excessive wages, and there are others preferring to beg in idleness rather than get their living by labour." It then states that—"The Lord King, seeing the grievous inconveniences which may arise hence, especially through the want of agricultural labourers and workmen of this kind," has ordained "That every man and woman, of whatsoever condition, free or bond, able in body, and within the age of threescore years, not living in merchandise, and not having any certain craft,† and not having of his own whereof he may live, nor land of his own about the tillage of which he may occupy himself, and not serving any other, shall be bound to serve the employer who shall require him to do so, and shall take only the wages, living, reward, or salary, which were

The King in 1349 issues the Ordinance of Labourers.

Compulsory on the poor to accept employment.

* It was recognised as a statute impliedly by 25 Ed. III. stat. i., and expressly by 2 Ric. 2, c. viii.

† This exception of the craftsmen is remarkable. See what has been said at p. 240, *supra*, as to the craft-guilds of this period, and the position which their members were assuming of a privileged class with regard to common journeymen.

Compulsory rates of wages.

accustomed to be taken in the neighbourhood, where he is bound to serve, in the twentieth year of the King's reign, or on an average of the last five or six years. Provided, that the lords of villeins have a preference over other employers, as to keeping in their service their own villeins, or the occupiers of their lands held by villein-tenure ;* so, however, that such lords retain in their service so many as are necessary, and no more. And if any such men or women, being so required to serve, refuse to do so, and that be proved by two lawful men before the sheriff, or the bailiff, or the lord, or the constable of the township, he shall forthwith be taken and committed to the nearest jail, there to remain in strict custody until he find surety to serve in manner aforesaid." The ordinance directs that if any workman or servant depart from service before the time agreed on, he shall have punishment of imprisonment. It farther, under penalty of imprisonment, prohibits workmen of several specified trades, and all artificers and workmen whatever, from taking more for their labour or workmanship than had been paid in the neighbourhood for the same in the year, or on the average of years aforesaid.

Punishment of refractory labourers.

Punishment for taking more than the prescribed rate of wages.

At the time when this ordinance was put forth the prices of all things had risen enormously.† It seems to have occurred to King Edward and his Council, that there would be hardship in requiring the labourers to be content with the old wages in amount of money, if

High prices of this period.

* I think this is the meaning of "terram suam nativam tenentibus."

† The first effect of the great mortality and of the panic caused by it had been to lower prices. "Erat leve precium de cunctis rebus pro mortis timore" (*Knighton*, 2599); but he goes on to say that soon afterwards there was such a dearth of all necessaries, that prices rose four-fold and five-fold. "Cuncta necessaria adeo cara devenerunt quod id quod retroactis temporibus valuerat unum denarium jam isto tempore valebat iv^{d}. aut v^{d}."—*Knighton, ibid.*

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the same amount of money could procure for them only a fourth of the old amount of food and other necessaries of life. With the design, apparently, of preventing or mitigating such hardship, the ordinance commanded that victuals should be sold at reasonable prices. Another clause ordered, under pain of imprisonment, that no person should give anything to a beggar who was able to work.

The Ordinance commands cheap sales of victuals.

Prohibition of giving alms to valiant beggars.

Such legislation, so seriously affecting the rights and liberties of the great mass of the peope, might seem to have been far beyond the scope of a royal ordinance; and we should have expected that it would have been regarded as constitutionally invalid, unless enacted with the consent of all the estates of the realm. We should indeed judge it to have specially required the consent of the representatives of the commonalty. But the Parliamentary representatives of the commons in that, as in other ages, were employers, not labourers; and they went beyond the King and his Council in their zeal for the interests of property. A Parliament met in the next year, 1350, and the Commons petitioned the King on the subject of the recent ordinance. But their complaint was, not that the King had issued such an ordinance, but that the ordinance was not sufficiently enforced. A statute (25 Edw. III. stat. 1,) was thereon passed, which recites the putting forth of the late ordinance by our lord the King, "against the malice of servants, which were idle and not willing to serve after the pestilence without receiving too outrageous wages." The King, in Parliament, is given to understand, by petition of the Commons, "that the said servants, having no regard to the said ordinance, but to their ease and singular covetousness, do withdraw themselves from serving great men and others, unless they have living and wages to the double or treble of what

Such legislation far beyond the scope of a royal proclamation.

This unheeded by the Parliaments of those days.

Manual labour has no representation.

Parliament of 1350.

The Commons petition that the Ordinance of Labourers may be more strictly enforced.

Statute of Labourers passed.

Complaints of the "malice" and "covetousness" of the labouring classes.

they were wont to have in the twentieth year of the King, and before." The statute then, in order "to restrain the malice of the said servants," enacted that labourers and servants should work for the accustomed wages; and that in future their hirings should be by the year, or customary period, and not by the day. The specific sums to be paid to many kinds of workmen are fixed by the Act. The labourers and servants in each township are to be sworn twice a year, before the local authorities, to keep the statute, and to work as formerly; and none of them is to go in the summer to work out of the township, in which he dwelt during the winter, if he can find work in that township. Servants, who flee from one county to another in order to evade the law, are to be committed to prison. The justices at their sessions are to make diligent inquiry as to the observance of the statute, and are to punish labourers and servants who break it, by fine or imprisonment, at their discretion. There are several other provisions in the statute, all in the same spirit. I have set out the effect of its most important clauses.

Labourers to work at the old rate of wages.

Hirings to be by the year.

The labourers in each township to be sworn to keep the statute, and to work as of old.

Laws against labourers leaving their townships and counties.

The justices to see to the observance of the labour-laws.

As neither the ordinance nor the statute succeeded in securing for employers the old amount of labour at the old rate, the angry lawgivers sought to enforce their labour-laws by annexing severer penalties to every breach of them, and by making them more and more harsh and oppressive. In the thirty-fourth year of Edward III.'s reign, the Parliament enacted that labourers and artificers, who absented themselves from their services, should be punishable at the discretion of the justices, by being branded with a hot iron on the forehead, with the letter F, to denote the falsity whereof they had been guilty, in breaking the oath by which they were bound to their service. If a run-

Attempts to enforce unfair legislation by severity and increased unfairness.

The Branding Statute of 34 Edw. III. c. 10.

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away servant took refuge in any town, he might be demanded of the mayor and bailiffs of the place, who were required to deliver him up under penalty of forfeiting 5*l.* to the King, and 100 shillings to the master of the runaway.

Strikes and combinations among the masons and carpenters.

This cruel legislation of the Parliament of 1360 against the labourers and workmen seems to have been partly caused by combinations and strikes for higher wages among the carpenters and masons. It is expressly enacted that all their unions, combinations, chapters, ordinances, and oaths made among themselves are to be held null and void.

The working classes continue to combine.

It is clear, however, that the working classes continued to combine against the employers, and that their combinations were, on the whole, successful.

Their combinations on the whole successful.

Complaints of it in Parliament, in 1377.

At the very beginning of the new reign, in 1377, the Commons complain that the villeins and the tenants in villeinage are confederated and allied together to oppose their lords and their lords' stewards with the strong hand; and that they are acting by the counsel, procurement, maintenance, and abetment of certain persons: and that in furtherance of their wrongful and treasonable practices they have collected among themselves large sums of money.*

Further laws against the labourers.

On this petition was founded the statute 1 R. 2, c. vi., which recites the same complaints, and orders that the lords of such villeins and tenants shall have special commissions issued for the trial and punishment of such offenders. A subsequent statute (12 R. 2, c. 4) repeats in its preamble the old grievance of the landowners and capitalists, that labourers and workmen would not serve them except for excessive wages. It also contains severe restrictions on labourers moving from one district to another.

* See the Petition in 3 Rot. Parl. 21.

These and other proofs make it clear that the great attempt made by the capitalists to secure cheap compulsory labour, and to confine the labourers to their respective old localities, was, on the whole, as it deserved to be, a failure. But it does not follow that this labour-code was a dead letter. On the contrary, we have proof that it was often and severely enforced. The fines levied on those, who broke it, produced a revenue which was so important, that the Parliament provided from time to time for the mode of its disposal in each district. This was done in 1350, when the fines were ordered to be applied in aid of the Tenths and Fifteenths. Afterwards, in the same Parliament, another Act was passed on the same subject; and in 1362, the distribution of those forfeitures was a third time regulated by statute. The enforcement, though partial, and as to its main purpose ineffective, of these laws, must have caused much misery to individuals. For it is certain that throughout the last part of Edward III.'s reign, the price of corn was so high, that wages paid at the statutory rate could not have enabled the labourer to purchase enough food for the support of a family.*

The labour-code, though on the whole unsuccessful, was not a dead letter.

Proofs of the large amount of fines levied under it.

Misery that must have been caused by even the partial enforcement of these laws.

The statutory wages utterly insufficient at the prevalent high prices.

* Mr. Malthus gives the following information on this subject:—"We may infer that the price of day labour had been [before the Statute of Labourers] about 1½*d.* or 2*d.*

"Sir F. M. Eden has collected notices of the prices of wheat in sixteen out of the twenty-five years of Edward III. previous to the time of the passing of the statute. Taking an average, the price of wheat appears to have been about 5*s.* 4*d.* the quarter, which is 8*d.* the bushel, and 2*d.* the peck.

"At this price of wheat, if the labourer earned 1½*d.* a day he could only purchase by a day's labour three-quarters of a peck of wheat; if he earned 2*d.* he could purchase just a peck. But in the subsequent period of Edward III.'s reign the labourer appears to have been much worse off. On an average of thirteen years out of twenty-six, in which the prices of wheat are noticed, the quarter is about 11*s.* 9*d.*, which is about 4¼*d.* the peck.

"At this price, if the money wages of labour had not risen, the condition of the labourer would have been very miserable. He would not have been able to purchase so much as half a peck of wheat by a day's labour."—*Malthus's Political Economy*, p. 244, ed. 1836.

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Increased pressure of taxation.

It presses severely on the labouring classes.

With the renewal of hostilities with France in 1377, the pressure of taxation became more and more severe; and the Government, by repeatedly imposing a poll-tax, made this burden bear with direct and galling weight upon the poor. Attention has already been drawn to the capitation tax imposed in the last year of Edward III.'s reign. In 1379 another poll-tax was granted by Parliament, which exacted fourpence a head from the labouring classes; but much higher payments under it were required from the middle and upper classes,* and this graduated tax was endured. But the next Parliament, at the end of 1380, voted a third poll-tax, which was framed on the harsh principle of that of 1377. The attempt to enforce this taxation was the immediate cause of the dreadful revolutionary uprising of the lower orders throughout nearly all England, which is commonly spoken of as the insurrection of Wat Tyler.

The fatal poll-tax of 1380.

The insurrection of 1381.

Attention of modern historians has been narrowed to the personal proceedings of Wat Tyler.

The Kentish insurgents, of whom this man was the leader, were doubtless the most formidable of all the insurgents, by reason of their numbers, their determination, and their proximity to the capital. And, inasmuch as Wat Tyler came into immediate collision with the chief officers of the Government, and was killed in a personal interview with the King himself, which was marked by many highly dramatic circumstances,

* The learned and accurate author of "The Annals of England," remarks on the poll-tax of 1379 that "The scale of duties for this tax is curious, and if fairly apportioned shews the high station of judges, magistrates, and lawyers of that period. Dukes paid 6*l.* 13*s.* 4*d.*; chief justices, 5*l.*; earls, and the mayor of London, 4*l.*; barons, wealthy knights, aldermen of London, mayors of great towns, serjeants and great apprentices of the law, 2*l.*; mayors of lesser towns, great merchants, and knights of St. John of Jerusalem, 1*l.* 'Sufficient' merchants paid 13*s.* 4*d.*; farmers or lessees, the same, or more, according to the value of their holdings; burgesses, husbandmen, and others, from 13*s.* 4*d.* downward to 1*s.*; labourers, 4*d.* for a man and his wife, and the like sum for each unmarried person above the age of sixteen."

the attention of historians has in general been almost exclusively directed to the proceedings of the Kentish men under Tyler, with some brief allusions to the contemporaneous disturbances in Essex, and in Norfolk.

The revolutionary movement was far more wide spread.

Wat Tyler's career began and ended in less than a month; but the revolutionary movement lasted for a much longer time; and it extended far beyond the sphere of his operations. We have seen how numerous and how deeply seated were the causes of discontent throughout the land; and it was only in the then very thinly populated districts of the extreme north and the extreme west of England that the people's discontent did not break out into a civil social war.

General democratic ferment throughout Europe in that age.

There was, indeed, at this period, a disturbed and disturbing spirit at work among the mass of the population, not in England only, but in many countries of Christendom.*

* See as to this the remarks of Lingard, vol. iv. p. 234; Hallam, 3 Middle Ages, p. 178, and supplemental note xv.; and Thierry, Histoire du Tiers Etat. M. Bonnechose, in his Histoire d'Angleterre, vol. ii. p. 43, after pointing out the feebleness of the temporal rulers of that age, dwells with great force and justice on the diminished respect of the people for ecclesiastical authority, which had been caused by the corruption of the clergy, and by the great schism of Christendom as to the Papal succession. "La clergé, corrompue par l'indolence et les richesses, donnait d'affreux scandales, dont nous avons de nombreux et d'incontestables témoignages dans les écrits des contemporains les plus eminents par la science et par la piété. La désolation de l'Eglise s'était accrue par le long séjour des papes à Avignon; cette periode de soixante-dix ans, qui fut comparée à la captivité de Babylone, dura jusqu'au retour de Grégoire XI. à Rome, et fut suivie à sa mort, en 1378,* d'une époque plus malheureuse encore, et connue dans l'histoire sous le nom du grand Schism d'Occident. On vit alors, et durant plus de quarante années, une double succession de papes et d'antipapes, qui, établis à Rome et à Avignon, déliaient à l'envi les sujets des sermons prêtés à leurs princes, et se chargeaint mutuellement d'anathemas."

This observation of M. Bonnechose brings back to the memory that of Bolingbroke on the same subject (On the Study of History, vol. ii. p. 363). "Two or three vicars of Christ, two or three infallible heads of the Church,

* M. Bonnechose's book has 1338, an evident error of the press.

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Recapitulation of the causes which made this spirit peculiarly rife in England.

We have already adverted to some of the causes, which made that spirit peculiarly rife and vehement in England. The villeins sought freedom, which the lords, in their anxiety not to lose labour, had now become parsimonious about granting. The freed labourers were combining to evade and defeat the labour-laws, and to obtain as high wages as possible; and each man was desirous to leave his native locality, and so to escape the swearings in by the justices, and the compulsory yearly hirings at inadequate rates. The small tenantry, and the copyholders, were leaguing with the labourers, in order to obtain lowering of rent, and mitigation of services. In the towns, the inferior workmen were chafing against the restrictive and oppressive regulations put on them by the privileged class, the members of the craft guilds. Though the labour-laws had been generally baffled, yet so many poor men had been fined and imprisoned under them as to create a fierce sense of indignation and a thirst for revenge. There was also the actual pressure of severe want, aggravated by the sight of the increasing voluptuousness and magnificence, which their

roaming about the world at a time, furnished matter of ridicule as well as scandal. And whilst they appealed (for so they did in effect) to the laity, and reproached and excommunicated one another, they taught the world what to think of the institution, as well as the exercise of the papal authority." M. Bonnechose thus states the general effect of these shocks to ancient reverence in the public mind:—"Ainsi tombaient aux peuples de l'Europe tous les liens apparents ou invisibles qui les retenaient dans l'ordre et dans l'obéissance, et la plupart des causes qui mettent en mouvement de nos jours les masses aveugles se réunissaient fatalement pour déchaîner, contre les puissances, les classes inférieures plus dangereuses alors qu'aujourd'hui, car elles étaient plus grossières et plus malheureuses : le commun peuple des villes et des campagnes, accablé, ruiné par des guerres perpetuelles et des exactions intolérables, étaient poussé au désespoir et à la révolte par l'excès de l'oppression et de la misère, et passait rapidement d'un dure servitude à un licence effrenée. Tel était le tableau qu'offraient les plus grands états de l'Europe, vers la fin du xiv^e^ siècle, au moment où le sceptre de l'Angleterre tombait des mains victorieuses d'Edouard III. aux mains débiles d'un enfant."

masters paraded before the poor. There was throughout the country the consciousness of national humiliation in unsuccessful war. There was contempt as well as hatred for the rulers of the land. Demagogues were busy among the poor, who urged these topics on their ready thoughts and passions; and the most formidable of these demagogues were those who added religious to political fanaticism. I believe it is wholly unjust to impute any intentional part in raising the tumults of 1381, to Wyclif or to Langland, the two writers who are spoken of as powerfully agitating the national mind at this epoch. The attempts, which have been made to fix on Wyclif the charge of having promulgated anarchical and revolutionary doctrines, were founded on imperfect and unfair quotations from his writings. Wyclif's favourite maxim, that "Dominion must be founded in Grace," may seem, if quoted without further explanation of his theory on the subject, to strike at all the rights of property and all order in human society. But what Wyclif really taught was, that supreme and complete dominion belongs to God alone; that God, as lord paramount of all, grants partial dominion over particular matters and properties to men in their respective stations. Such grant is conditional on the grantee's true obedience to the Almighty Giver. It is forfeited by sinful disobedience. But, though the wicked cannot have dominion in its true and pure sense, they are often permitted by Divine providence to retain power and possession; and it is a good man's duty in private life to recognise and submit to this constituted authority. Wyclif expressed the duty of obeying existing authorities in very strong, and as it seems to us, exaggerated and paradoxical language, which his enemies laid hold of, and made the

The insurrection not promoted by Wyclif.

Some of his doctrines misunderstood and misapplied.

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subject-matter of a distinct charge against him.* He certainly never encouraged anarchy or violence; but many of his nervous, epigrammatic sentences, if wrested from their context, may have seemed to sanction them. Probably many of his followers were not so discreet as their master, in taking care that such sentences, when uttered, should always be accompanied by the proper explanations and qualifications.

Wyclif's followers more violent than their master.

Langland, the great popular poet of the time, was personally a loyal man; and a careful study of his writings shows that he reprobated discontent, sedition, and violence.† But the nervous, outspoken words, in which he denounced the vices of the wealthy and the great, and threatened them with heavy judgments, were eagerly caught up, and firmly retained in the memories of the suffering poor, while they neglected or forgot his warnings to men of their own estate. It is certain that the insurgent peasantry of 1381 were familiar with this poem. The chronicler, Walsingham, cites a letter from John Ball, the demagogue priest, to the Commons of Essex, which uses the imagery, and alludes to the characters of Langland's poem in a manner which demonstrates its extensive popularity

Langland loyal, but his poem made fuel for insurrection.

* See Mr. Shirley's remarks (Introduction, p. lxiv. Fascic. Zizan.) on the heresy imputed to Wyclif of holding "Quod Deus obedire debet Diabolo."

† Mr. Skeat, in his recent edition of "The Vision of William concerning Piers the Plowman," says rightly:—"It is most evident that Langland himself was intensely loyal. He nowhere recommends or encourages revolutionary ideas, but the contrary; and he never could have intended his words to have roused the flame of rebellion. But the outspoken manner of them was just that which delighted the populace; his exaltation of the ploughman was gladly seized upon, and his bold words perverted into watchwords of insurgency." Some of the passages expressly addressed to "Labourers that have no land to live on but their hands," warning them "to live in love and law;" to work honestly for fair wages; to bear the burden of poverty patiently; and not to curse the king, the king's council, and laws, unless they, the labourers, be "heighlich huyred," will be found in Passus VI. and Passus VII., pp. 74, 77, 78, and 81 of Mr. Skeat's edition.

among the lower orders, and shows how Langland's writings were perverted as if bidding the champion of the insurgents, under the typical name of "Peres Plowman," go well to his work of chastisement.*

The itinerant preacher, John Ball.

John Ball was an itinerant priest of that period, who for some years before the outbreak of 1381 went about among the lowest classes preaching up what the hierarchy deemed heresy, and what statesmen considered sedition and anarchy. Parts of his addresses and letters have been preserved; and it is always to be remembered that the chroniclers who cite them were John Ball's bitter enemies. The quotations may be garbled and unfair; but it is impossible not to see that the author was a man of fierce and strong genius, and one who must in such times have been very formidable to those who sate in high places in church and state. Froissart calls him "a foolish priest;" but the words in which John Ball is said to have harangued the peasants, who were still kept in a state of villeinage, had a terrible sense and cogency. He said to them, "In the beginning of the world there were no bondmen; and no man ought to become bond, unless he has done treason to his lord, such treason as Lucifer did to God. But you and your lords are neither angels nor spirits; but both you and they are men, formed in the same similitude. Why, then, should you be kept under like brute beasts? And why, if you labour, should you have no wages?" He frequently used rhymes, some of which appear rude and uncouth, but they are admirably adapted to fix themselves in the recollection of those who heard them, and to pass rapidly from mouth to mouth. One couplet of John Ball's will be remembered and quoted,

John Ball's speech to the peasants.

* Walsingham, 275. The letter is cited by Mr. Skeat and Mr. Wright in their editions of Langland's poem.

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as long as the English language exists, and as long as there is inequality of rank and wealth in the world—

John Ball's two-lined lyric of Liberty and Equality.

When Adam delved and Eve span,
Where was then the gentleman ?

There is good reason to believe that John Ball, though the most effective, was far from being the only preacher of this character. These itinerant orators were sometimes arrested and imprisoned by their ecclesiastical superiors. John Ball is said by Froissart to have been three times incarcerated by the Archbishop of Canterbury. But such treatment only exasperated the fierce tempers of the preachers, and acquired for them the sympathy and admiration of the multitude.

The misconduct of the tax-collectors was the immediate cause of the insurrection of 1381.

The masses throughout England had been long seething in sullen discontent and agitation, when the misdeeds of the Government officials, in enforcing the harsh taxation of the third year of King Richard's reign, accelerated the outbreak of open resistance and civil war.

The poll-tax unproductive.

A much less sum than what the Government had expected, was at first collected under the poll-tax which the Parliament had voted in 1380, and by which every lay person in the realm, whether free or not, both males and females, of whatever estate or condition, who was past the age of fifteen years, was to pay three groats, except veritable mendicants, who should be charged nothing. Persons of substance were to be made to aid those who had less; but so that the wealthiest man should pay no more than sixty groats for himself and his wife; and that no person should pay less than one groat for himself and his wife.* Displeased that this sweeping and severe taxa-

* See 3 Rot. Parl., p. 30.

dictments afterwards brought against some of the Kentish men for their rebellion, "Their cry was, that no tenant should do service or custom, as they have aforetime done."* This shows that among the insurgents there were men of much better position than the mere rabble, which Wat Tyler is commonly said to have commanded.

The insurgents march upon London.

They determined to move upon London; and, as they were joined by detachments from the insurgents of the other counties near the metropolis, there can be no doubt of their having formed the main body, which the Government had to encounter. But we must not lose sight of the fact, that almost all England was at the same time convulsed with similar uprisings: and these uprisings were so nearly simultaneous, that some writers have thought that they must have been instigated and guided by secret chiefs of higher rank than the ostensible leaders of the populace. The young King's uncle, John of Gaunt, the Duke of Lancaster, was charged by some of his contemporaries as the promoter of the insurrection; and there certainly appear, towards the latter part of the time during which it existed, to have been rumours and tales circulated among some of the peasantry, that the Duke had set all his serfs free, and was to be made king.† But it is clear that in its early and most formidable stage, the Duke was an especial object of the insurgents' hatred. They burned his palace in London; and one of their cries was that no King John

Similar uprisings throughout England.

The Duke of Lancaster suspected as the instigator of the rebels.

The charge groundless.

* See the indictment against William Tolme and others (4 & 5 Ric. 2) published and commented on by Mr. Flaherty in the Archæologia Cantiana.

† See John Cote's confession, cited and commented on by Mr. Flaherty in the Archæologia Cantiana, vol. iv. The date of this confession is Oct. 7, 1381, and it speaks, or pretends to speak, of things that occurred on the 30th of the previous September.

King Richard had on the 3rd of July issued a proclamation exculpating the Duke "from the lies and defamations of the insurgents."

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(meaning the Duke) should reign in England. The truth seems to be, that like causes produced like effects throughout the country, without any formal organization. When the news, that the commons of one district were up, reached another district, the commons of that other rose also ; and such tidings pass even orally from man to man through a country in times of excitement, with marvellous rapidity. The Government had no regular troops, that could be moved from place to place to put down the bands of insurgents while yet in process of formation ; and each of the nobles and gentry, in his fear that his own castle or manor-house would be attacked, kept at home, with all the retainers that he could muster for his own protection.

Counties over which the insurrection is known to have raged.

Of the extent of the insurrection there can be no doubt. There is clear documentary proof that it embraced Kent, Surrey, Sussex, Hampshire, Wiltshire, Dorsetshire, Devonshire, Cornwall, Somersetshire, Gloucestershire, Bedfordshire, Buckinghamshire, Hertfordshire, Middlesex, Essex, Cambridgeshire, Huntingdonshire, Northamptonshire, Lincolnshire, and at least southern Yorkshire.*

The muster of insurgents at Blackheath.

The Kentish, Essex, and Surrey insurgents advanced on the metropolis, under Wat Tyler. They mustered at Blackheath on the 11th of June, and their numbers are said to have amounted to 100,000.

* A statute passed in the Parliament held in 1383 provides for the acquittal of all who had been among the late insurgents, but who could prove that they joined the insurgents under compulsion. It contains also various directions as to the mode of proof of such compulsion. It is directed, in its heading, to the Sheriffs of London and Middlesex, who are strictly commanded to see it and other statutes on the subject proclaimed and observed. At the foot of the statute is a memorandum that a similar mandate was sent to the Sheriffs of each of the other counties which I have mentioned in the text. These counties had evidently all been scenes of insurrection.

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The young King Richard was in the Tower of London, protected by a very slender guard of knights and men-at-arms. With the King were his Chancellor, Simon of Sudbury, Archbishop of Canterbury; his Treasurer, Sir Robert Hales, and others of his councillors and nobles. Some messages passed between the insurgents and the royal party, and it appears that some of Richard's attendants advised conciliatory measures, but the Chancellor and the Treasurer insisted that no concessions should be made to "shoeless ribalds," as they contemptuously termed Wat Tyler's followers. The insurgents now advanced and occupied Southwark; but London Bridge was the only means of passing the Thames; and the Mayor of London, Sir William Walworth, a bold and energetic royalist, counselled the citizens to close the bridge, and the city gates, and to keep the rebels out of London. But Walworth's zeal was not shared by all the Londoners. Some of them sympathised and co-operated with Tyler. Walworth's proposed measures were thwarted and baffled. The insurgents obtained entrance into the city, and found numerous recruits and guides within its walls.* Sir James Mackintosh has well reminded us that the current narrative of the events that followed, is drawn from chroniclers only who were zealous on the royal side. The insurgents and their favourers produced no chronicler. It appears that the young King, who, throughout these terrible scenes, showed sense and

Weak state of the Royal party in London.

The insurgents occupy Southwark.

Sympathisers in the city.

The insurgents enter London.

No narrative by any on Tyler's side.

* See the statute 6 Ric. 2, c. xiii., in which the King gives a pardon to his subjects after the late insurrection, but with certain exceptions. The statute recites the special misconduct of three of the citizens of London. One of them hindered the mayor from closing the city against the rebels, the other two were the primary and principal advisers of the traitors to enter the city, and leaders of the traitors when within the city.

Very many of the journeymen in the city, towards whom the craft-guilds had assumed the condition of an oppressive aristocracy, must have joined Wat Tyler; and many more must have been unwilling to act against him.

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Sense and spirit shown by the young King.

Conference at Mile End.

Moderation of the demands of Tyler and his party.

spirit far beyond his years, rode forth from the town with a few attendants to Mile-End, where he had by proclamation summoned the insurgents to meet him, and to make known their requirements. Their demands were four. First, that slavery should be abolished; secondly, that the rent of all land should be reduced to fourpence the acre; thirdly, that there should be free liberty of buying and selling in all fairs and markets; and, fourthly, that the King should grant a general pardon for all offences. Modern adepts in political economy may smile at the clause about the uniform reduction of rent, as unreasonable and impracticable; but it was no worse than the arbitrary rates of pay for labour, which the rich of that age had been sedulously endeavouring to establish. This clause is another proof of the co-operation of the small tenants in the movements of 1381. There is certainly nothing deserving censure, as unphilosophical or as violent, in the other three requisitions. The King promised his consent to these terms; and clerks were forthwith set actively at work to engross a royal charter to this effect for every parish and township, whose inhabitants had taken part in the rising. But in the course of the same day, scenes of far more violent and savage character were taking place in other parts of the metropolis. The worst and most ferocious of the insurgents, and the rabble of outcasts and malefactors, who are always to be found in a large city, and who always join those who (rightfully or wrongfully) oppose the constituted authorities, committed frightful outrages against person and property, putting to death, with especial malignity and cruelty, the Archbishop and the Treasurer, who had ridiculed them as "shoeless ribalds" in the King's Council the day before.

The Royal consent promised, and charters prepared.

Excesses committed by other bodies of the insurgents.

On the following day, the King, accompanied by

Sir William Walworth and others, rode to Smithfield, where he again met the chiefs of the insurrection. A conference followed; and during that conference Tyler, who was in advance of his party, was stabbed and killed by Sir William Walworth, and another of the King's followers, named Robert Standish. Thus much is certain. How far the chronicler's statements about Tyler having provoked his death by his insolent, threatening demeanour towards his sovereign, may be trusted, is by no means equally clear. For the instant, the blows that destroyed Tyler, placed young King Richard in the most imminent peril. Hundreds of insurgents bent their bows to avenge their leader's fall; but, ere an arrow was sped, the young King gave his horse the spur, and riding up weaponless to the bristling ranks of the archers, he called out to them, "What do ye, my lieges? Tyler was a traitor. Follow me, I will be your leader." Struck with admiration at their young sovereign's courage and ready address, the insurgents lowered their weapons, and followed him into the fields near Islington, where a large force of a thousand men-at-arms had been collected by the vigilant exertions of Sir William Walworth and Sir Robert Knollys. Disordered and discouraged, the insurgents implored the King's mercy. Richard promised it to them, and bade them depart to their homes. He also honourably interposed his royal authority to check the savage zeal of some of his own adherents, who were anxious to charge and slaughter the peasants in their retreat.

The King and Tyler meet in Smithfield.

Tyler killed during the conference.

Gallantry and presence of mind of the young King.

The insurgents yield and disperse.

The death of Wat Tyler, and the deliverance of London from the insurrectionary bands, which had occupied it, undoubtedly turned the tide of the revolutionary movement. The Government had now a force at its command in the capital, with which it was

The flood-tide of rebellion falls at once.

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The effect of this success of the party of order.

free to act. It had recovered confidence in itself; and loyal men were once more ready to serve it with confidence and alacrity. The murders and robberies, which had been committed by the worst part of Tyler's followers, must have alienated many, who had previously sympathised with the insurgents, and have disposed all, who valued security of person and of property, to take arms on the King's side in restoring order. There must have been, also, among the rebels, the natural speedy reaction from the excessive zeal and daring created by temporary success, to extreme discouragement, and to mutual distrust and disunion. But there were many strong and stubborn hearts among them; and it is erroneous to speak, as many modern historians have spoken, of the insurrection as having subsided almost instantaneously after Wat Tyler's death. Even in Kent, where the dispersion of Tyler's forces on the fall of their chief, would have been felt most, the contest with the Government was not abandoned for several months.

Continued struggles of the insurgents.

Wat Tyler was killed on the 15th of June. We have documentary proof that an insurgent force occupied Canterbury as late as the beginning of July, and that the leader of that force required the bailiffs of the city to make a levy of the whole commonalty of the place to resist the King's officers in Kent.* At the same time, a band was still in arms near Wye, under one Bertram de Wilmyngtone, who is described as of the degree of Esquire.†

Hardyng's attempt at a new rising.

And, as late as the 30th of September, a Kentish man named Thomas Hardyng, and others, were endeavouring to organise a new general rising, with the design of compelling the

* See the indictment against John Gybonn, quoted and commented on by Mr. Flaherty, *ut supra*.

† See the indictment against De Wylmyngton and others, *ibid.*

King to confirm the charters which he had granted at Mile-End in June. This attempt was frustrated by Thomas Bordefeld, one of the conspirators, who gave information to the King's officers, in consequence of which Hardyng and many others were suddenly arrested, and (in the words of King Richard's pardon, granted to the informer), "The false proposal of the said company was totally destroyed." Hardyng and eight of his confederates were tried and convicted of treason in October. They were drawn, disembowelled and hanged, and the head of Hardyng, "for that he was the principal raiser and first inspirer of the treasons," was fixed on the Palace Gate at Westminster. Hardyng's attempt at a new rising is the latest act recorded of the Kentish malcontents.*

It is certain that the insurrection was thoroughly suppressed throughout England, by the time when the Parliament met in November; but little more is known of how long the commotion lasted in the several counties, or of the means by which it was put down.† It is too certain, from the usual course of human nature, that violent and cruel reprisals were taken by the lately panic-stricken lords and landowners, when they found their refractory vassals once more in their power. There is, indeed, proof that such was the case, in the Statute of Indemnity which was passed in their behalf.‡ We know that in Norfolk and Suffolk the insurrection was sharply and speedily quelled by the martial energy of Henry Spenser, the young Bishop of Norwich.

* See the record of the proceedings in the case of Hardyng and others, in Mr. Flaherty's paper, *ut supra.*

† Two popular leaders, John Hanchach, in Cambridgeshire, and Robert Phippe, in Huntingdonshire, were beheaded "hastily," and without process of law. We know this from the petition of the Commons for their attainder. See 3 Rot. Parl. 175.

‡ Stat. 5 Ric. 2, stat. 1, c. vi., mentioned more fully *infra.*

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The insurrection in Norfolk stamped out by the militant Bishop of Norwich.

When the risings began in Norfolk, Bishop Spenser had with him only a few men-at-arms and archers. Instead of shutting himself up in his palace with these, he forthwith marched to the place where a band of the peasants was collected, dispersed them, and arrested their chief. Some of the knights and gentry of the county then joined the Bishop. He next attacked a large mob of insurgents, led by a dyer of Norwich. He, and his well-armed soldiers, slaughtered many of them, and made a prisoner of their leader. The Bishop then moved his flying column through Norfolk and the adjacent districts, attacking promptly, and smiting mercilessly every assemblage of the peasants, that he could discover. He rode in full armour at the head of his troopers, and, armed with a two-handed sword, he was the foremost in every encounter. After the battle, he assumed the functions of a judge; he solemnly tried his prisoners for treason, and sentenced them to death. He then returned to his clerical duties, and heard their confessions, and gave them absolution before they were executed. The ecclesiastical chroniclers record these things of him with admiration; but he must have left among the peasant-relatives of those whom he slew, recollections and feelings by no means favourable to prelacy.

Measures taken by the Government.

The measures taken by the young King and his ministers, after the fall of Wat Tyler, on the 15th of June, are fully recorded. The rulers evidently considered that their triumph was secure. On the very day on which Tyler was killed, and his followers were dispersed, royal orders were sent to the judges to adjourn the courts, it being probably at once determined to send the judges with special commissions, to try those who had taken part in the risings.*

* Rot. Claus. 4 Ric. 2, m. 1, cited by Mr. Flaherty in Archæologia Cantiana.

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The King next marched into Essex, which, after Kent, had been the most formidable stronghold of rebellion, and, on the 23rd of June, he issued a proclamation from Waltham, denying assertions which had been made by the rebels, that they had been acting according to the royal will, and by the King's directions.* On the 30th of June, he issued, from Havering-atte-Bower, a proclamation, requiring that all tenants, whether free or bond, should render all customary services as before the late troubles, without contradiction, murmur, resistance, or difficulty.† On the 2nd of August, King Richard, being then at Chelmsford, issued another proclamation, in which he formally annulled the charters which he had granted at Mile-End, alleging that it did not become his royal dignity to keep his word in such a case.‡ While the King, with the force in immediate attendance on him, was in Essex, a general muster of the military tenants of the Crown was held at Blackheath. Special commissions for the trial of traitors, murderers, and rioters, were promptly issued; and as soon as possible after armed resistance was quelled in each district, the King's judges, and the other special commissioners associated with them, began their work of retribution and vengeance. According to one writer, 1500 persons were condemned and executed. Another chronicler says of the Chief Justice Tresilian, who presided over the trials in the eastern counties, where the number of prisoners was very large, that the Chief Justice "showed mercy to none, and made great havock." Some of the condemned suffered beheading, as a more summary mode of execution for large numbers

The King marches into Essex.

Chief Justice Tresilian the prototype of Jeffreys.

* Rot. Pat. 5 Ric. 2, p. 1, m. 35, *dorso*, also cited in Archæologia Cantiana.

† Rot. Claus. 5 Ric. 2, m. 42, *dorso*, cited in Archæol. Cant.

‡ Rot. Pat., 5 Ric. 2, p. 1, m. 33, cited like the last.

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than hanging. Others were gibbeted along the highways; the bodies being, in some instances, hanged in chains, lest their friends should remove these ghastly memorials of the vengeance of the law. John Ball was one of the prisoners. He was drawn, hanged, and quartered as a traitor.

Number of the sufferers.

Parliament at Westminster, November, 1381.

Royal Speech.

Parliament was convened late in the year, and was opened by a speech on the King's behalf by the Lord Treasurer. It recommended an inquiry into the causes of the late tumults, and informed the Lords and Commons that the King had revoked the charters of manumission which had been granted by him, inasmuch as he was aware that he could not grant such charters according to law. The Lords and Commons gave their emphatic assent to this proposition, stating that their consent was necessary for the enfranchisement of their villeins, which consent they never would give, no not even to save themselves from instant destruction.* They absolutely refused to act on another very important part of the royal speech, suggesting that the villeins should be legally enfranchised by a Statute of Parliament, and informing them, that the King would give his assent to such a measure. They showed, however, some humanity, by an address to the King, requesting his pardon for the late insurgents. This was granted, and in the next session confirmed in the form of a Statute.

The Parliament more zealous than the King against the villeins.

General charter of pardon to the insurgents.

Bold and precise address of the Commons on

To the part of the royal speech, which recommended inquiry as to the origin of the late discontents and treasons, the Commons replied by an address of the most explicit and free-spoken character. They

* The royal and parliamentary view of the law was correct; and its assertion was of some constitutional importance. The King had no more lawful authority to take a man's villein from him than to take an acre of his farm, or any other part of his property. See Hallam's observations, vol. iii. M. A., p. 180.

pointed out the abuses in the King's household, and the corruption and evil practices of those, who were about the King's person. They spoke of the misconduct of the judges, and of the defects in the administration of justice, which were such "that right and law had come to nothing." They complained of the pillaging and ruining of the poor commons by the subsidies, and tallages raised upon them, and by the oppressive practices of the purveyors of the household and other officials. They denounced the waste and misuse of the great sums granted and levied for the defence of the kingdom, while the people were plundered and wasted by the enemy year after year, by sea and by land. They told the King that the national calamities were unendurable, and said in plain words, "these injuries lately done to the poorer commons more than they ever suffered before, caused them to rise and to commit the mischief done in the late riots, and there is still cause to fear further evils, if sufficient and timely remedy be not provided against the wrongs and oppressions aforesaid." They ended a prayer for measures of reform in the administration, for the removal of evil counsellors and ministers, and the abolition of the bad practices whereof complaint had been made, with an emphatic request—"And for God's sake, let it not be forgotten that there be found about the King and of his council the best lords and knights that can be found in the kingdom."

the misgovernment which had caused the insurrection.

Demand of reform.

The King's government yielded so far to their demands that commissioners were appointed to inquire into and reform the Royal Household, and some other departments. The ministers then asked for a subsidy, which the Commons at first absolutely refused to grant, alleging that a new tax would be followed by a new insurrection. But the Crown had on this occa-

Commissions of reform granted.

Subsidy asked and at first refused.

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sion a pressure on the Parliament, which it effectively exercised. It has been mentioned that a charter of general pardon for those who had sided with the rebels had been granted, but there was need also of an indemnity for those who had acted against them. Many of these (including probably most of the knights of the shire who were returned to the Parliament of November, 1381,) had "taken revenge of the rebels" without due process of law, and in manner other than required or authorised by the laws and usages of the realm.* And even men, who had not been guilty of any cruel or excessive violence, but had only armed for the defence of themselves and their families, and for the preservation of public order, might dread being brought to trial for alleged breaches of the law, before such a judge as Tresilian. They were told that when they granted the subsidy, the King would grant the pardon. After some demurrer they gave way, and renewed the tax on wool and leather for five years. In return, the King's pardon was granted; and it was enacted that the lords, gentry, and others, who had repressed, and who had taken revenge of the King's rebels in the late tumult and insurrection, should not be called in question or proceeded against in any way, for aught done by them while so repressing and punishing the insurgent villeins and other traitors.

The Members of Parliament have themselves need of a bill of Indemnity for occurrences during the late insurrection.

The grant of the subsidy made the price of the grant of the pardon.

This is nearly† the last express mention in our Statute book, and other records of the Peasant War of 1381, of the storm that threatened to "sweep away all bulwarks

Continued vain legislation against the labourers.

* See the statute 5 Ric. 2, stat. 1, c. 6, entitled "The King's pardon to those that repressed or took revenge of his rebels." It recites that "Plusurs Seignurs et gentils firent diverz punissementz sur les ditz villeins et autres traitours sanz due proces de loye, et autrement qe les lois et usages de la terre demandent."

† See, in 3 Rot. Parl. 175, the attainder of Wat Tyler, Jack Straw, John Hanchach, and Robert Phippe, as four captains in the attempt to destroy the King "and all the gentlemen of the Realm." This attainder was in 1383.

of civilized and regular society." But there is clear proof of the continuance of those disturbed and angry relations between the landowners and the labourers, which had begun after the Black Death in 1349, and which so materially caused the insurrection thirty-two years afterwards. The villeins and the free-labourers, though defeated in the field, deprived of their leaders, and now nominally submissive, continued to evade the labour-laws. They wandered more and more from their old dwelling-places; and they were persistent in not working except for sums, which the employers called "outrageous and excessive hire," but which the labourers themselves would probably have termed "fair day's wages for a fair day's work." At the end of seven years after the suppression of the insurrection, the landowners in Parliament passed another statute (the 12 Richard II. c. vii,) which repeats in its recitals the old complaints of the employers about the conduct of servants and labourers, and which enacts a tariff of wages for servants in husbandry. It then orders that every other labourer and servant shall have wages according to his degree, and less in the country where less was wont to be given. The Act forbids the labourer, whether man or woman, at the end of his or her term, quitting the place where he or she is dwelling, except by written magisterial leave. The labourer, who wanders without such certificate, is to be put in the stocks and imprisoned, until he finds surety to return to his service, or to serve and labour in the town whence he came. It seems that the towns continued naturally to attract the rural poor, who left their dwelling-places in search of higher wages, and in order to escape the dominion of their feudal lords. The new statute sought to check this, by ordaining that "he or she" which had laboured at the plough or cart,

The Labour and Poor-Law of 1388.

CHAP. IV.

or other service of husbandry, till the age of twelve, should continue to be a labourer in husbandry, and should not be apprenticed or put to any mystery or handicraft.

Legislative distinction between the Impotent and the Valiant poor as to relief.

This statute contains the first legislative rules as to relieving the impotent poor, as distinguished from mendicants who are able to work. It orders that the able-bodied mendicant shall be punished in the same way as the labourer who quits his dwelling-place without legal permission. It orders that beggars, unable to labour, shall abide in the places where they are at the time of the proclamation of the statute, and if the people of those places will not or cannot relieve them, they are to draw themselves to other towns within that hundred, rape, or wapentake, or to the township where they were born, and there to abide continually during their lives.

It orders also that no servant or labourer in husbandry shall wear any sword, buckler, or dagger. It commands that the Statutes of Labourers shall be enforced within cities and boroughs.

Further Labour-statutes, each of which proves the inefficiency of its predecessors.

This Act was no more effective in providing cheap labour, than the preceding legislation on the subject had been. This is proved by a statute of the next reign (7 Hen. IV., c. 17,) which recites: "the great scarcity of labourers and other servants of husbandry, so that the gentlemen and other people of the realm be greatly impoverished." It confirms and endeavours to enforce the "good statutes aforemade" of the 25 Edward III., and 12 Richard II.; and it enacts still more oppressive restrictions against the poor putting their children apprentices to handicrafts, or other occupations in towns.

Wages cannot be kept below

All these, and the similar legislative attempts of the two next reigns to keep the rate of wages below the

natural limit, proved unsuccessful. The very men who made those laws, themselves habitually broke them. The employers, when they met in Parliament, gladly joined in restrictive legislation as to the labourers' wages; but each of them, when he went home, and had to hire labour, found himself obliged to pay sums in excess of the regulation price. This is proved by the 4th of Henry V. c. 4, which repeals the penalties imposed by the old Acts on the givers, as well as on the receivers of wages above the statutory rates, and ordains that "the pains contained in the old statutes shall run only against the takers."

their natural rate.

It is clear that ultimately the labouring classes were successful in their long struggle against the attempts of their masters, the law-makers, to restrict the rate of wages by legislation. We have good means for ascertaining the sums paid to labourers in the reign of Henry VI., that is about a century after the Black Death, and for ascertaining also the price of wheat at the same period.* The English labourer's wages in Henry VI.'s reign, commanded twice the amount of the necessaries of life that could have been obtained for the wages paid in the time of Edward III. I believe that the recent historian of the English Poor-Laws is right in connecting this change with the "spread of freedom, the increase of intelligence, and improvement in the mode of living of the great mass of the people."†

Success of the labourers in their strike.

Great improvement in the condition of the labourers.

Villeinage continued to die out. It is true that the slaveholders, after their jeopardy and victory in 1381, long regarded their English helots with the same jealous and vindictive feelings, which made them tell the King, at the close of the insurrection, that they never would consent to the enfranchisement of the villeins of

Continued gradual extinction of villeinage notwithstanding the jealous ill-will of the

* See Malthus, as cited in note at p. 279, *supra*; and Sir George Nicholl's History of the English Poor Law, vol. i. p. 82.

† Sir Henry Nicholls, vol. i. p. 82.

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Lords towards the villeins after the insurrection.

the realm, not even to save themselves from destruction.* The most shameful proof of this spirit, on the part of the landowners, is their address in Parliament to the King, in 1391, praying him to ordain and command "that no bondwoman, or bondman, shall place her or his children at school (as has been done), so as to advance the children in the world, by their going into the Church. And this they pray for the maintenance and preservation of the honour of all freemen of the realm."† It is greatly to the honour of Richard II. that he refused to assent to this petition. But though this spirit long existed, the spirit of avarice existed also, and made needy and extravagant lords still glad to raise money by selling enfranchisement; and the Church continued to teach that the setting free of bondmen was a duty of Christian charity.‡ The Parliamentary petition, which has just been quoted, proves that many of the clergy of the time had themselves

Manumission still purchaseable.

Still taught by the clergy as a Christian duty.

* See p. 298, *supra.*

† See 3 Rot. Parl., p. 294. The Commons petition, first, that no villein of a religious house or person may hold land [they give a reason that by this means the spiritual person is the real holder]; the petition proceeds:— "Et auxi de ordainer et comander que null neif ou vilein mette ses enfants, de cy en avant, a Escoles, pur eux avancer par clergie; et ce en maintenance et salvation de l'honeur de toutz Frankes du Roiaulme."

The statutes of some of the colleges founded at the close of the fourteenth and in the first part of the fifteenth century, expressly provide that no villein is to be received as a member.

‡ In a review of Mr. Longman's Edward III., Dr. Freeman, when speaking of the bitter feeling of the landowners towards the labourers, says:— "One might almost have expected that the emancipation of villeins would have been forbidden by law, just as in old Rome restrictions were put on the emancipation of slaves. But happily the church taught that to set a bondman free was a pious and charitable deed, and men could hardly be ordered by Act of Parliament to abstain from adding to the number of their good works."—*Fortnightly Review*, May, 1869.

I have found in the "Liber Albus" of the City of London, edited by Mr. Riley, in the Rolls Collection, a strong proof of the ascendancy of a similar spirit in the ruling body of the city seven years after Sir William Walworth killed Wat Tyler. It is an ordinance made in the eleventh year of Richard II.'s reign by Nicholas Exton, the mayor, the aldermen, and the common council, which enacts that bondmen are not to be enrolled as

risen from the ranks of servitude : and the zeal of such preachers and confessors in behalf of their fellow-creatures in slavery must have been especially fervent. Escapes continued to be frequent ; and, when the civil wars of York and Lancaster broke out, when troops were raised and warfare carried on for years in nearly every part of England, it must have become almost impossible to detain compulsorily an able-bodied peasant on his lord's manor. Proofs may be found of the existence of villeinage in the Tudor times, and even as late as James I.'s reign. But it had become an exceptional and antiquated institution in England before the end of the fifteenth century.

Villeinage still further diminished by the Wars of the Roses.

The success of the labourers of the fourteenth and fifteenth centuries in obtaining fair wages, and ultimately high wages, increased very much the number of labourers, who were dependent on wages only, and unconnected with the land, compared with the number of those, who had some interest in the soil of the manor in which they dwelt. This diminution of the number of English peasants having some interest in land, was caused also by the change in the mode of managing their estates, which many landowners began to adopt. Being unable to procure labour at as low a rate as they desired, they cast about for schemes to lessen the number of hands employed on their estates. This was effected by throwing more and more of their lands into sheep-pastures, as the tending of flocks required much fewer servants than were needed for the operations of tillage. Fields inclosed by fences to keep in the flocks, now

The English peasantry become more and more detached from the soil, and look to wages only.

Similar effect of new modes of cultivation adopted by the landowners.

apprentices, and are not to enjoy the liberties of the city ; and also that no one born of a bondman shall exercise a judicial office within the city.

The very aristocratic spirit which then prevailed among the London local lawgivers may be judged of from the ordinance which follows next in order in the Liber Albus. It commands that "Dogs are not to wander about the city, *the dogs of the gentry excepted.*"—*Liber Albus*, pp. 452, 453.

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Inclosures begin.

began to appear over many parts of the estates. Those lands, also, which the lords still kept under the plough, were farmed by them on new and improved plans; and it was convenient to fence them in from the open grounds, over which the tenants of the manor exercised commonable rights, and which they tilled on the old open, or champion system of cultivation. In proportion as the amount of personal services in agriculture rendered to a lord by his villein tenants, or tenants in villeinage, became small and insignificant, the lord ceased to have an interest in keeping a number of such persons on the manor. He looked to money-rents; and it was more convenient for him to draw them from a moderate number of substantial tenants, each occupying a considerable quantity of land, than from a very great number of very poor peasants, each holding a little hovel and small strip of ground, but each having also commonable rights over the "champion" lands of the manor, which interfered extremely with the lord's improvements.

The Lords have an interest in getting rid of small peasant proprietors.

The increase of sheep-pasturage, the inclosure and appropriation, by the lords, of lands formerly commonable, and the extirpation of small peasant proprietors, were grievances practised by the great landowners on a gigantic scale during the reigns of the Tudor dynasty. But they had all begun earlier; and their origin may all be traced to the events in the domestic history of England during the thirty-two years to which this chapter has been chiefly devoted. The Black Death, the labour-laws passed by the Parliaments of Edward III. and Richard II., the obstinate struggles of the labouring-classes to resist those laws, the rapid diminution of villeinage, the transformation of the mass of the English rural labourers, from peasants interested in land to workmen for wages wholly without interest in the

land, are events that for 500 years have gravely affected, and still deeply influence, our country, and the various classes of its inhabitants.*

* Much valuable information on these subjects will be found in a work lately published by Professor Erwin Nasse, of Bonn, on the system of land cultivation in the middle ages, and on the inclosures of land in England during the sixteenth century. I do not, however, think that he attaches sufficient importance to the events of the reigns of Edward III. and Richard II. I have rather adopted the opinions expressed by Mr. Seebohm in his papers on the Black Death already referred to in this chapter.

Perhaps I ought to have explained that in describing the disappearance of small peasant proprietors of land, or of interests in land, as having commenced in the fourteenth century, I do not at all imply that there was at that time any material decrease in the numbers of another class of small landowners, who were beneath the nobility and gentry, though above the labouring classes. I mean the yeomanry, whose social position and characteristics I have sketched in the second chapter of this volume. Chief Justice Fortescue's well-known treatise on the Praises of the Laws of England proves how numerous the yeomen of England (both freeholders and leaseholders) continued to be as late as Henry VI.'s reign. See *Amos' Fortescue*, p. 104.

CHAPTER V.

John Wyclif—His enduring influence on after ages—His high position as a Schoolman at Oxford, then the highest Theological University—Alarm of the Papacy at Wyclif's power, and his doctrines—The Pope orders proceedings against him—Wyclif summoned before the Pope's delegates at Lambeth—The proceedings broken off by a tumult of the Londoners—Wyclif's Poor Priests—His regard to Preaching—His translation of the Bible—Its great effect on the community—His advice as to the study of Scripture—He attacks the doctrine of Transubstantiation—He is censured by the University of Oxford—His Confession of Faith—Archbishop Courtenay takes proceedings to check heresy—Council at the Black Friars Chapter House—Condemnation of tenets imputed to Wyclif—Proceedings at Oxford—Wyclif retires to Lutterworth—His unabated industry as a writer and preacher—He advises the total confiscation of Church property—The Bishop of Norwich's crusade—Wyclif cited before the Pope—His answer—His death—His character—His influence over Europe, especially over England, wide-spread and enduring.

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Wyclif, and his permanent influence on English history.

THE name of John Wyclif has already frequently occurred in connection with several of the events that have been narrated in the two last chapters.* There are, however, many parts of the career of the great Reformer yet to be considered; and they are so easily distinguishable from the mass of the history of the reign of Richard II., that it will be best to devote a distinct chapter to them. The importance of what Wyclif did, and preached, and wrote, can hardly be exaggerated. His influence is felt not only among all the English race, but among

* See at p. 191, *supra*, Wyclif's share in the attack made on Edward III.'s clerical ministry in 1371; at p. 204, Bishop Courtenay's counter-attack on Wyclif. See also p. 283, *supra*, as to the influence of Wyclif on the insurrection of 1381.

all mankind, wherever the Bible is read, and spiritual liberty is valued.

We have seen the high position, both intellectual and official, assumed by Wyclif at Oxford.* It is to be remembered that Oxford, during the fourteenth century, was by far the greatest theological and philosophical university in Europe.† The Pope, and the partisans of the Pope, must have watched with anxiety and alarm the growing predominance at Oxford of a lecturer and a writer, who taught that Popes may err, have erred, and do err; that the Bishop of Rome is no head of Holy Church; that many of his bulls are blasphemous instruments of fraud and robbery;‡ that a sentence of excommunication by Prelates or by Pope is a nullity, unless the condemned man has first excommunicated himself by sin;§ that Papal indul-

Wyclif's high scholastic renown at Oxford.

Oxford, then the chief theological University in Europe.

Alarm of the Papal party at Wyclif's ascendency and at his doctrines.

* P. 191, *supra*. Wyclif appears to have chiefly attracted public attention by the boldness and alleged heterodoxy of his theological opinions, and by his zeal in lecturing and preaching, during the last twenty-one years of his life, from the time of his taking his degree as Doctor of Divinity in 1363 to his death in 1384. See Mr. Shirley's Introduction to Fasciculi Zizaniorum, p. xv.

† Paris had rapidly declined. "Even Germany and Bohemia, which had contributed many illustrious pupils to Paris, began to wish for national universities of their own. In 1348 the University of Prague was founded in connexion with Oxford; in 1365 that of Vienna, 'the eldest daughter of Paris;' in 1362 and 1363 faculties of theology were given to Bologna and Padua, where law alone had hitherto been studied. To Paris, therefore, little more than France was left, at a time when France was torn by dissension and humiliated by defeat. To Oxford passed what remained of her intellectual empire. Duns Scotus, Ockham, Bradwardine, and Wyclif were the four great Schoolmen of the fourteenth century."—Shirley, 1.

‡ "The proud priest of Rome setteth images of Peter and Paul on his lead, and would have Christian men believe that all, which the bulls, thus sealed, speak, is done by their authority, and that of Christ. And thus, as far as he may, he maketh that which is false, to be the work of Peter and Paul and Christ, and in this would make them false. And by means of this blasphemy he robbeth Christendom of faith, of good life, and worldly goods."—From Wyclif's MS. "Sentence of the curse expounded," cited in Vaughan's Life of Wyclif, vol. ii. p. 306. There are other similar passages quoted there. See also 246 and 247, *supra*.

§ "Non est possibile hominem excommunicari ad sui damnum, nisi excom-

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gences and pardons for sins are valueless and pernicious to those who receive them, and foul acts of simony on the part of those who for money grant them ;* that the Scriptures are the rule of faith, and that no doctrine should be admitted which cannot be proved out of the Scriptures;† that all men, including laymen and unlearned men, ought to read diligently Holy Writ ; and that the Gospel ought to be placed before the people in their mother tongue.‡

1377. Pope Gregory XI. orders proceedings to be taken against Wyclif.

We find, accordingly, that Pope Gregory XI., in May, 1377, issued his Bulls, complaining grievously of the lukewarmness and negligence of English Prelates, and of the University of Oxford, in having suffered John Wyclif to set up and expound, and to preach doctrines subversive of the Church, and in having

municetur primo et principaliter a semet ipso," *et sequent.*—Fascic. Zizan., pp. 250, 251.

* "Rich men trusten to flee to heaven thereby withouten pain, and therefore dreaden sin the less: and of very contrition and leaving of sin and of doing alms to needy men is little spoken of. Agen, this feyned pardon is a sotil merchandize of Antichrists clerks to magnifien their feyned power and to gether worldly goods, and to make men drede not sin, but sikenly to wallow therein as hoggis."—Wyclif's MS. "*Of Prelates,*" cited in prefatory memoir in Baber's edition of Wyclif's New Testament, p. xxxiii. "As for pardons, if they be aught worth, they must be free ; and to take money for them is to sell the goods of grace, and therefore simony."—Same tract, cited in Vaughan, vol. ii. p. 303.

† The following passages are cited in Dr. Baber's prefatory memoir, p. xxix. :—"Scriptura est lex Christi, et fidei ecclesiæ."—*Lib. de vii. Mortalibus Peccatis.* "Non oportet admittere scientiam vel conclusionem, quæ non habet testimonium e Scripturâ."—*De veritate Scripturæ.* "Though we had a hundred Popes, and al the Friars in the world were turned into Cardinals, yet should we trow more the law of the gospel than al this multitude."—*De Blasphemia.*

‡ "As secular men ought to know the faith, so it is to be taught them in whatever language is best known to them." "Prelates and the Pope and Friars and other means may prove defective ; accordingly Christ and his Apostles converted the world by making known to them the truths of Scripture in a language familiar to the people. Why then should not the Disciples of Christ at the present day take freely from the same loaf and distribute to the people."—Tracts quoted in Lewis's Life of Wyclif, pp. 86, 87, and in that by Le Bas, pp. 238, 239.

thus allowed tares to spring up and ripen, without making an attempt to root them out. The Pope does not refer to the proceedings (narrated in a previous chapter of this volume,*) which had been taken against Wyclif in the February of that year, at the instigation of Courtenay, the Bishop of London, and which had terminated abruptly, in consequence of the personal altercation between that Prelate and the Duke of Lancaster, who then stood by Wyclif as his patron. Those proceedings were, in reality, measures taken in a political, not in a theological conflict, and they had been allowed to remain unrevived and ineffective, after the rising of the Londoners against the Duke (which they caused,) had accomplished Courtenay's object of humiliating his political adversary. Some enemies of Wyclif, probably some of his old adversaries the Mendicant Friars, complained to the Pope of Wyclif being thus tolerated, and this appears to have been the immediate cause of the issue of the Papal Bulls already mentioned.† The Pope commanded the Archbishop of Canterbury (Simon Sudbury), and the Bishop of London (William Courtenay), to act in the matter as his Delegates, and in his name. They were to make inquisition as to the truth of the charges against Wyclif; and if they found them to be correct, they were to imprison and detain him until further orders from the Pope. Similar orders were given by the Pope to the University of Oxford, commanding the prompt arrest of Wyclif and his followers.

Wyclif summoned to Lambeth.

Nothing was, on this occasion, done by the University. But the Archbishop and the Bishop (acting as

* See p. 204, *supra*.

† See Wyclif's Letter, Fascic. Zizan., 483, and Mr. Shirley's Introduction, xxvii.

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the Pope's Delegates) summoned Wyclif before them at the Archbishop's palace at Lambeth. A second time the proceedings against Wyclif were brought by tumult to an abrupt and impotent conclusion; but on this occasion the tumult was raised in behalf of Wyclif by those, who had formerly risen against Wyclif's patron, the Duke of Lancaster.

Wyclif now popular in London.

Wyclif's teaching and preaching had not been limited to Oxford and Lutterworth. He himself, as royal chaplain, must have frequently resided in the metropolis, and he had now numerous disciples and adherents there among both the laity and the clergy. No unpopular nobleman now figured at Wyclif's side at Lambeth, as had been the case when the Duke of Lancaster was his arrogant champion at St. Paul's. The citizens espoused his cause eagerly and tumultuously. They thronged into the Archbishop's chapel, when the proceedings against the great Reformer were beginning. The King's mother, the Princess of Wales, appears at this time to have acted with the Council of Regency in matters of Government. We do not know whether she favoured Wyclif, or whether the authorities were merely alarmed at the signs of incipient riot; but a message from her arrived at Lambeth, forbidding the Archbishop and the Bishop to proceed further against Wyclif. The inquiry or trial was abandoned accordingly, and Wyclif's influence must have been greatly augmented by this vain attempt of his enemies against him.*

The proceedings are interrupted by a tumult of the Londoners.

The Government orders them to be suspended.

* Wyclif put forth three tracts or manifestos of opinion in the latter part of 1377, and most likely between the arrival of the Pope's Bulls in England and the issue of the citation of Wyclif to appear before the Papal Delegates. See Mr. Shirley's Introduction to the Fascic. Zizan., xxxi. He has pointed out the mistake into which both Wyclif's chief modern assailant, Dr. Lingard, and Wyclif's chief modern defender, Dr. Vaughan (and others), have fallen, in supposing that one of these documents (set out in Walsingham's Chronicle) was handed in by Wyclif to the Delegates at his trial as

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Wyclif was now left without molestation (except by controversial opponents, with whom he was fully able and ready to cope) for nearly four years (1377—1381). This appears to be the period during which he completed the organisation of his "Poor Priests." These were itinerant preachers, whom Wyclif sent throughout the realm, to preach the Gospel to the poor in their mother tongue. He attributed very great importance to preaching, and he was himself most diligent and zealous in the performance of that duty.* The same man who, when lecturing in the schools as Professor of Theology, or when arguing points of controversy with his theological opponents, disputed, in his very unclassical but very expressive Latin, with the most keen metaphysical subtlety, and elaborate dialectical skill, spoke, as a preacher, in short, simple sentences of homely, vigorous English. His sermons are learned sermons; but they exhibit, not the processes, but the results of learning; and these are set out in a plain

Wyclif's poor priests.

Importance attached by him to preaching.

Character of his own preaching.

his defence. As Mr. Shirley observes, Walsingham says nothing of the kind. One of these documents was laid before the Parliament; the other two appear to have been issued for general circulation. No one of these documents justifies Lingard's censures of Wyclif, as having sought to evade punishment by explaining away his former writings, and by using "quibbles and evasions." The document which Lingard erroneously supposes to have constituted Wyclif's defence before the Archbishop and the Bishop, but which was certainly published by him, must be read through, and it must be read in connexion with the Pope's list of imputed heresies. The reader should also bear in mind the distinction always carefully drawn by Wyclif, but often ignored by his adversaries, between dominion as granted by the Almighty Lord Paramount, and possession depending on human civil law; the first being held "titulo originalis justitiæ," the second being held "titulo mundanæ justitiæ" (see the Trialogus, p. 306, and *supra*, p. 283). In order to understand some of the other imputed heretical propositions, and Wyclif's comments on them, valuable help will be gained by reading Mr. Shirley's explanation of Wyclif's theories as to the imperishability of the atomic elements, as to the ordinate and the absolute power of God, and as to the different modes of existence, the "*esse intelligible*" and the "*esse existere*."—See Introduct. Fascic. Zizan., liv.—lx.

* There are still extant nearly four hundred of Wyclif's English Sermons and Homilies. See Mr. Shirley's Catalogue of Wyclif's works, p. 31, *et seq.*

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intelligible form. The great object of Wyclif, as a preacher, was to teach men their duty to God and man, and to teach it out of the Scriptures. To the Scriptures he constantly refers, avoiding the legends and tales of saints, which in those times made up the greater part of discourses from the pulpit. His "Poor Priests" were instructed by him to preach in the same manner and the same spirit. It is probable that some of these disciples of Wyclif went further than the founder of their order, in their daring rejection of old tenets, and in exhortations to impetuous change. We know that the effect of their preaching on the community was very great. It is attested and deplored by the contemporaneous ecclesiastical writers, who were most hostile to Wyclif and his followers.

His translation of the Bible into English.

Wyclif must also at this time have been much occupied with his greatest work, the translation of the Bible. Many portions of the Scriptures had been rendered into English before Wyclif's version had been undertaken and accomplished; but these were only small and unconnected parts of the contents of the Sacred Volume. For the invaluable gift of a complete English version of the Bible, England was first indebted to John Wyclif.* His translation was made, not from the original Hebrew and Greek, but from the old Latin version, the Vulgate, which, for many centuries, had been universally adopted by the clergy throughout all Christendom, except the countries where the Greek Church was acknowledged. This circumstance of Wyclif's work being a translation of a translation, and the gradual changes in the English language, naturally caused Wyclif's version, in process of time, to be superseded by Tyndal's version,

* See Forshall and Madden's Preface to their edition of Wyclif's Bible, p. vi.

which is taken from the original languages themselves. But for a hundred and fifty years, Wyclif's English Bible was the Bible of Englishmen, read in secret and in peril, but still read, and cherished, and preserved, notwithstanding prohibition and persecution, and in spite of vigilant and continued efforts on the part of men in power to seize and destroy the copies of a work, which they knew to be a source of danger to their own authority, and the free circulation of which many of them honestly believed to create confusion, heresy, and schism.*

There is every reason to believe that, while the work was in progress, portions of it, as from time to time completed, were copied out and circulated: and this circulation was effected by the agency chiefly of Wyclif's itinerant Poor Priests. The translation could not otherwise have produced the effect in Wyclif's lifetime, which all writers, including those most inimical to him, assign to it. What amount of help from others he received in this vast work, we cannot state with precision, but we know that one of his followers, named Hereford, translated a very large part of the Old Testament. The New Testament was certainly translated by Wyclif himself, and he appears to have completed the translation of the Old, in those portions not undertaken or not finished by Hereford. The whole was probably revised by Wyclif. The work was universally ascribed to him, and it is on him personally that the contemporary ecclesiastical writers pour out their indignation for his having made

Great effect of the translation on the community.

* We may form some idea of the zeal with which Wyclif's Bible must have been copied and circulated, from the fact mentioned by its recent editors, that fully one hundred and fifty manuscript copies of it are known to be still in existence, of which the majority were written within forty years after the putting forth of the version. See Forshall and Madden's Preface.

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God's Word, which was intended to be in the keeping of the clergy, and of the doctors of the church, so common and so public, that laymen, and even women, who merely knew how to read, had, through his translation, acquired a greater familiarity with the Scripture, than was possessed by many clergymen, though well educated, and of good abilities.*

Wyclif inculcates the duty of all to read the Bible.

Mention has already been made of the earnestness, with which Wyclif taught that it is the duty of all men, lay as well as clerical, of unlettered men as well as learned men, to study the Scriptures for themselves, and to make the Scriptures their rule of life, both as to morals and as to faith.

Spirit in which it should be read.

But he also taught earnestly the need of reverent humility in him, who reads or listens to the Holy Volume. The manner and the spirit, in which Wyclif directs the Bible to be studied, would, if his advice were honestly followed, guard sufficiently against what a modern assailant of Protestantism has termed "the perilous antics exhibited by the Right of Private Judgment careering through the Scriptures." Wyclif teaches that he, who reads, and who wishes to read with a right understanding of what he readeth, must trust principally to God's grace to enlighten him, and that to obtain that grace, he must lead a pure and holy life. He must read sedu-

* "Hic magister Johannes Wyclif evangelium quod christus contulit clericis et ecclesiæ doctoribus, ut ipsi laicis et infirmioribus personis secundum temporis exigentiam et personarum indigentiam cum mentis eorum esurie dulciter ministrarent, transtulit de Latino in Anglicam linguam non angelicam: unde per ipsum fit vulgare et magis apertum laicis et mulieribus legere scientibus, quam solet esse clericis admodum literatis et bene intelligentibus."—Knighton, 2644.

Wyclif had before his death commenced a second and corrected version. This was completed and published after Wyclif's death by his disciple, Purvey. Both versions are given in Forshall and Madden's edition of Wyclif's Bible.

lously and with painstaking: and for an explanation of difficult passages he ought to apply to clergymen, whom he knows to be virtuous and learned.* He is not to be discouraged if he cannot at once master difficulties. To stop a man on that account from studying the Bible, would be as unreasonable, as to forbid the further education of a child who made a fault in its first lesson.† In another work he pointed out that "The Scripture is to be regarded as expressing most clearly the truths which are most necessary for man's salvation; but it teaches in a more abstruse manner the truths, that are not so important for man's holiness and happiness. And, with regard to the difficulties involved in Scripture, they are contained there for the meritorious exercise of the Christian student, who is to study them in a spirit of humility, and as directed by the Holy Spirit."‡

The man, who studies, and who desires to be an expounder of the dark places of Scripture to others, is admonished by Wyclif of the need of possessing further qualifications. Wyclif mentions among these the ability to collate manuscripts, an acquaintance with logic, and the long-continued practice of comparing one text with another.§ Wyclif also rightly

* See Wyclif's prologue to his translation of the Gospel of St. Matthew. "Lewid men schulden lerne it [holy writ] of God principali, and by good livynge of hemself, and bisie traveil, and in axynge trewe clerks bothe in lyvynge and in kunnynge the verri expocisioun thereof wher it is derk."

† Wyclif says in the same preface, "What resoun is this if a child faile in his lessoun at the first day to suffre nevir child to come at letteure for this defaute?"

‡ "Illa [i.e., Scriptura], debat supponi in veritate sententiæ, in forma verborum et logica præcellere scripturas alias qualescunque, et *veritates necessariores magis exprimere, illas autem veritates, quæ non sunt ita utiles ad beatitudem magis abscondere; et quascunque difficultates quas implicat, ut Augustinus edocet, ad exercitium meritorium ipsam studentis humiliter et ordinatione Spiritus Sancti dicitur continere.*"—Trialogus, lib. iii. c. 31, p. 242 of Lechler's edition.

§ See the passage quoted in Vaughan, vol. ii. 349, from James' Apology, c. 1.

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considered that it was expedient for the teaching believer, who was to remove the difficulties which often beset the path of the inquiring student, and who was to answer the objections raised by adversaries of his faith, to be armed with skill in logic, and with a knowledge of theological metaphysics.* Wyclif expressly requires that his philosophy shall be "philosophy purified by the Lord."

Wyclif attacks the doctrine of Transubstantiation.

It was also during this period of his life, that Wyclif attacked openly and boldly the doctrine of Transubstantiation, which teaches that the consecrated elements cease entirely after consecration to be bread and wine, and become the actual Body and Blood of our Lord, and nothing else. Religious reverence would make us anxious to refrain from introducing such topics in historical narratives and disquisitions, but to do so would be to omit, or to leave unintelligible, some of the most important parts of the history of both our Church and our State. The tenet of Transubstantiation had been denied in the eleventh century by the schoolman Berengarius, but it had been energetically supported by Lanfranc, while he was Abbot of Bec, and before he became our Archbishop of Canterbury. It was held by the great majority of the clergy and schoolmen,† and it was adopted by a Council, when Innocent III. was Pope. Thenceforth to call this doctrine in question was to rouse, promptly and vehemently, the indignation and the chastising wrath of the ecclesiastical powers. The differences of opinion, which existed on this subject, have, in modern times, appeared to many persons to be mere matters

Importance of that doctrine.

* "Expedit pro habendâ hujusmodi Scripturæ notitiâ quod Fidelis in recta logica, et *philosophia depurata a Domino* sit instructus."—Trialogus, p. 242, ed. Lechler.

† See note on this subject at page 33, *supra*.

of abstruse metaphysical speculation, and such as none but fantastical pedants can regard with any strong interest. But the least learned, as well as the most learned among the mediæval ecclesiastics, felt that the question was a vital one to the power of their order. According to the full doctrine of Transubstantiation, the priest, who consecrated the bread, created out of it an actual portion of the Body of the Divine Redeemer, so completely, that though something white, and hard, and round, such as the bread had been before consecration, seemed to remain, this whiteness, hardness, and roundness were mere unreal accidents; the substance* of bread had utterly vanished, and the Redeemer's body, and nothing else, was really present. I am far from saying that all the clerical upholders of the doctrine of Transubstantiation were altogether or mainly induced to maintain it on account of the awful and reverential dignity with which the power to perform such a rite invested the order of priesthood. But it is in certain accordance with human nature, that this motive must have operated generally and strongly.†

* It may be useful to remind some readers that in the disquisitions on this subject the word *Substance* was and is used, not in the sense which it now bears in common conversation, that of corporeal bulk, but as the Latin equivalent of the *Hypostasis* of the Greek philosophers and fathers. To give and to justify a definition of "substance" would occupy far more space than is permissible here. The three first chapters of the work of M. Haureau, "De la Philosophie Scolastique," give within a moderate compass and in a very lucid and attractive manner much information respecting the conclusions of Platonists and Aristotelians, of Realists and Nominalists on this and on connected topics.

† I subjoin the remarks of Dean Hook and Dean Milman on this subject. The Dean of Chichester, in his Life of Cranmer, says:—"The Papists saw that the controversy on the Eucharist was not what it first appeared to Cranmer, or as it appears to some even at the present time, a mere metaphysical question of no importance. One feels a repugnance to write the sentence, but the vulgar notion was that the priest in the mass created his Redeemer, and then offered him as a propitiating sacrifice for sin. The

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On the other side, the Wyclifites, fresh, like their successors the Puritans, from the study of the Scriptures, and full of zeal against the crime of idolatry, so often therein denounced, regarded the worship, which the Transubstantialists, consistently with their faith, paid to the consecrated elements, as idolatry of the rankest kind. They assailed the pretensions of the consecrating priests with indignation and scorn, not always unmingled with indecorous mockery.

Wyclif had come slowly, and by degrees, to his denial of the doctrine of Transubstantiation. It was only during the last four or five years of his life, that he explicitly maintained that the consecrated bread is still bread, although the real body of the Redeemer is "Sacramentally" present. The doctrine finally put forth by Wyclif was "a doctrine very similar to that at the present time maintained in the formularies of the Church of England." *

1381. Wyclif's doctrine censured by the University of Oxford.

Wyclif openly and formally maintained this proposition in his lectures at Oxford, in 1381.† This public avowal of what was then by all adherents of the Established Church deemed heresy on a most awful and momentous matter of faith, brought upon his teaching the censures of the university. It does not appear that any proceedings were taken against him personally. William of Berton, the Chancellor of

order of men, who were endued with a power to do this, must be superior to all civil power."—Lives of the Archbishops, vol. ii. new series, p. 150.

Dean Milman points out to us that "From the doctrine of Transubstantiation in its hardest, most material form, once defined, once avowed, once established by the decrees of popes and councils, there was no retreat without shaking the sacerdotal power to its base."—History of Latin Christianity, vol. iii. p. 184.

* Dean Hook in Lives of Archbishops of Canterbury, vol. iv. p. 345.

† An account of Wyclif's stages of opinion on this subject is given by his adversary Wodeford in a passage cited in a note by Mr. Shirley, p. xv. Introduction Fascic. Zizan.; and more is told at p. lx.

See also p. 104 of same volume.

the University, called together twelve Doctors of Divinity and of Canon Law (selected by himself), and laid before them, for their consideration and judgment, two propositions, as dogmas lately introduced and publicly taught in the University and elsewhere. They both have reference to Transubstantiation. One of them accurately represents Wyclif's doctrine, that the substance of the material bread remained after consecration; the other inaccurately imputed to him a total denial of the real presence of the Saviour.* The Chancellor and his Convention condemned both these propositions as heretical; and ordered that the teachers and maintainers of such doctrines should be punished by expulsion from the University, excommunication, and imprisonment. No person was pronounced guilty, or sentenced by name; but the sentence of condemnation was promulgated and read out by the officers of the University in the University Schools in Wyclif's presence, and while he was sitting there as lecturer. According to the narrative of Walden, the great enemy of the Wyclifites, "Wyclif was confounded when he heard the condemnation. But still he said that neither the Chancellor, nor any who had taken part with the Chancellor, could break down his [Wyclif's] judgment."† The "confusion" spoken of by Walden may have been Wyclif's surprise at hearing the second proposition, which imputes to him doctrines very different from those, which he really held and taught. But it is evident from what follows, that Wyclif showed no want

Wyclif's firmness.

* See them at p. 110 of the Fascic. Zizan.

† See Fascic. Zizan., p. 113. "Ista prædicta condemnatio promulgata est publice in scholis Augustinensium ipso Johanne sedente in cathedrâ et determinante contrarium. Sed confusus est ista audita condemnatione. Sed tamen dixit quod nec cancellarius nec aliquis de suis complicibus poteret suam sententiam infringere, se in hoc ostendens hæreticum manifestum."

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His appeal.

The Duke of Lancaster advises Wyclif to drop the subject.

of firmness. His next step was to appeal, as his ecclesiastical opponents complain, not to the Pope, or any spiritual authority, but to the temporal rulers of the land, the King and Parliament. Wyclif's old patron, the Duke of Lancaster, came to Oxford, but the Duke's zeal in support of Wyclif had now greatly cooled. He was no longer at bitter feud with the Church dignitaries; the storms of unpopularity, in which he had been involved, had made him cool and cautious; and he probably took little interest in a doctrinal dispute between Wyclif and other Oxford Professors. Lancaster advised Wyclif to be silent in future on the subject of Transubstantiation; but Wyclif refused to comply with the Duke's advice, or with the Chancellor's decree, and put forth a confession of his faith, in which he fully expounded his doctrine that there is a Real Presence virtually, spiritually, and sacramentally in the consecrated bread, but that the bread still remains bread, both as to substance and as to accidents. Wyclif concludes this confession of his faith with a stern denunciation of those who regard a Pope's decree more than the Gospel, and who pervert the sense of Scripture into heresy.*

Wyclif refuses to submit.

His confession of Faith.

Many disputants against the confession of Wyclif came forward, chiefly from among the ranks of his old enemies the Friars. But the nature of his new doctrines, and the effect of the events of 1381, brought against him a much more formidable amount of hostility from many other quarters.

Combination of enemies against him.

Not merely the mendicant Friars, and those among the English clergy who favoured the high pretensions of the Pope, were roused into tenfold hostility against Wyclif by his bold publication of what they deemed

* Fascic. Zizan., p 115.

pernicious heresy on the most important of all tenets; but it drew on him the angry displeasure of the dignitaries of the National Church, who now made common cause with their old enemies the Friars, against the audacious heresiarch.* Wyclif must also have embittered many of the chief ecclesiastics more and more against him by the attacks which he continued to make with even increased bitterness against their pomp and wealth, and their temporal occupations and dignities. Above all, the terrible insurrection of the lower orders in 1381 must have made men of rank and wealth, among the laity as well as among the clergy, regard innovators and agitators of every kind with angry antipathy and alarm. No one could have felt surprised that Wyclif's preachings and publications caused a third ecclesiastical inquiry in 1382. The chief promoter of this was William Courtenay, late Bishop of London, the successor of Simon Sudbury as Archbishop of Canterbury, after the barbarous murder of Primate Sudbury by the followers of Wat Tyler. Courtenay was a high-born and a high-minded man, who, as we have seen,† had boldly and successfully confronted Wyclif's political patron, the Duke of Lancaster; who, in the course of that political conflict, had caused Wyclif to be cited at St. Paul's in 1376;‡ and who had been most active, under the Pope's directions, in conducting the subsequent proceedings against Wyclif at Lambeth. There is no reason for censuring Archbishop Courtenay as a bigoted persecutor, or for

1382. Inquisition as to Wyclif's doctrines.

Archbishop Courtenay promotes it.

* Wyclif said of this, "Olim episcopi nostri dicuntur pseudo-fratres tanquam diabolos odivisse; cum in tempore domini Armachani dicuntur ipsum in sumptibus contra hos pseudo-ordines defendisse. Sed modo facti sunt amici Herodes et Pilatus, qui prius inter se fuerant inimici."—Trialogus, p. 375.

† P. 203, *supra*.

‡ See p. 204, *supra*.

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suspecting him of any personal malignity against Wyclif. Courtenay was no theologian. He acquiesced and believed in what he found the received doctrines of the Established Church, in which he had been born and bred, and in which he held high office. He must have naturally and honestly thought it his duty as Primate of all England (and especially at such a season), not to permit, without notice and repression, the bold display and rapid growth of doctrines, which must have appeared to him subversive of order and authority, and directly repugnant to the orthodox creed.

Synod at the Black Friars chapter-house in London.

The Archbishop summoned a council of eight bishops, fourteen doctors of civil and canon law, six doctors of divinity, four monks, and fifteen mendicant friars. According to Wyclif (and as is credible from all circumstances) the friars were the most active members of this assembly.

Propositions laid before them.

A list was made of twenty-four propositions, which were said to be contained in the writings of Wyclif. This was true as to the greater number; but some were falsely imputed to him.* The council was assembled at the Chapter-House of the Black Friars, in London.

The earthquake.

At their first meeting, when they were about to commence the proceedings, an earthquake shook the building.

Courtenay's presence of mind.

The members of the council, terrified at the omen as well as at the danger, were about to disperse, but Archbishop Courtenay, with great presence of mind and courage, stayed them, and reassured them. He told them that the earthquake portended that the realm was being purged of the noxious vapours of heresy.

The propositions condemned.

The council held several meetings, and ultimately decreed that all the propositions, which had been laid before it, were erroneous, and that the errors in them

* Especially the third, "Quod Christus non sit in sacramento altaris identice, vere et realiter in propriâ præsentiâ corporali."

amounted to heresy. Wyclif was not summoned before this council, but several of his most active followers were cited. Some appeared, and made explanations or retractations of the opinions imputed to them. Courtenay sought to strengthen the ecclesiastical authorities in the suppression of heresy, by applying to the Crown for a statute commissioning the sheriffs to seize all persons convicted before the bishops of preaching heresy. A statute to this effect was put forth; but it was repealed in the next session of Parliament, at the instance of the Commons, who asserted that this act had never been agreed to by them, and that they "considered it to be in no wise their interest to be more under the jurisdiction of the Prelates, and more bound by them, than their ancestors had been in times past."*

Courtenay procures an Act of Parliament requiring the sheriffs to arrest persons convicted of heresy by the ecclesiastical Courts. Stat. 5 Ric. 2, 5. Repealed in the next session.

Notwithstanding the condemnation of Wyclif's opinions at Oxford in 1381, his influence was strong there, and the University officers for the succeeding year were known to be favourable to him. The Archbishop sent a commissioner, or an inquisitor into heresy, to Oxford; but the proceeding was resented and resisted by the University, as a breach of their privileges. Courtenay was not a man to be thus baffled, or to stop at half-measures. He procured a royal mandate to the University, commanding the Chancellor to resign, and ordering that search should be made for the preachers of heresy, and the favourers of heretics. The firmness of the Archbishop overpowered the University authorities, and the growth, or at any rate the open prevalence of the new doctrines in the University of Oxford received a decided check.

Courtenay orders proceedings against heresy in Oxford. The University resists his commissioner. Archbishop Courtenay prevails.

Nothing was done, and nothing was attempted

* Rot. Parl. iii. p. 141.

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Wyclif retires to his rectory.

Wyclif's industry and zeal as a writer and a preacher during the last two years of his life.

His "Trialogus."

against Wyclif personally.* He appears to have withdrawn himself entirely to Lutterworth during the last two years of his life. His writings prove that the activity and vigour of his mind were unabated. One of the best known of all his works, and in which his reforming theories are expressed with the greatest boldness, his Latin treatise, entitled "Trialogus," was written during this period.† In this, as in other treatises put forth by him between his retirement from Oxford and his death, he goes to the extreme length of maintain-

* Many modern writers speak of Wyclif having been summoned before a Convocation at Oxford presided over by Bishop Courtenay, and of his demeanour on that occasion. But I believe that Mr. Shirley (Introduc. Fascic. Zizan., xliv., note) and Mr. Forshall and Sir Frederic Madden (Introduction to their edition of Wyclif's Bible, p. vii. n.) are right in rejecting this story, which rests on a passage in Knighton, or the other ecclesiastic who wrote under that name (2649). But this chronicler's statement is not entitled to much weight, for he himself shows that he thoroughly misunderstood the proceedings, which were really taken at Oxford, and (as Mr. Shirley observes) he produces as Wyclif's "recantation what is simply a reaffirmation of his doctrine."

Mr. Forshall and Sir Frederic Madden consider that "From his [Wyclif's] name not occurring in the documents of the archiepiscopal register relative to these meetings [at the Blackfriars Chapter House, and at Oxford], it seems more probable that he had previously withdrawn himself from the University, and had taken up his residence at Lutterworth. It is certain that his last years were spent there, and that he continued actively engaged "in the duties of his parish and in maintaining by his writings the principles he had taught until death interrupted his occupation on the last day of December, 1384."

† See the Trialogus, Lib. iv. c. 16, 17, 18, and 19, p. 297 to 314, in Lechler's edition. That learned editor speaks thus of the evidence which exists of the great influence of the "Trialogus" on the learned men of both England and the Continent in the age in which it was written, and also on the reformers of the sixteenth century:—"Trialogum ab amicis et discipulis Wyclifi post ejus obitum per quinque decennia maximi habitum et summo cum studio perlustratum esse, libri manu exarati, qui opus istud exhibent, testimonio sunt luculentissimo. Omnes enim notas margini adscriptas habent, quibus materiæ in colloquiis expositæ, loci auctorum in texta laudatorum significantur. Vix unquam major sollertia atque labor in opera sanctorum Patrum impensus est quam in hoc Wiclifi opus; quâ in re Bohemi Joannis Husi asseclæ, præ Anglis elaborasse videntur. Unde elucet quantæ auctoritatis apud multos Trialogus fuerit. Seculo posteriori, cum veritas evangelica reluceret, quid de libro isto judicatum sit ex prologo editioni principi præmisso cognoscere licet." This "editio princeps" was printed in 1525, at Basle, as is generally believed.

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ing that the clergy ought to have no worldly property at all; that the kings and lords who have endowed the Church with lands and wealth, committed sin in doing so; and that it is their solemn duty to relieve her of the temporalities, which have been the cause of her corruption and of her crimes.

He advises the total confiscation of Church property.

The amount of Wyclif's compositions during this period of little more than two years, is astonishing,* especially when we remember that he was still active in preaching, and still engaged in completing and revising his translation of the Bible. Throughout this last series of his writings a growing spirit of sternness against his adversaries is visible. There was indeed one event, or succession of events, during this period, well calculated to intensify the wrath of Wyclif against corrupt and corrupting ecclesiastics. The rival Popes, not content with mutual anathemas and excommunications, excited crusades against each other, and against the adherents of each other. Pope Urban dispatched bull after bull to the English Prelates in 1382, exhorting them to raise troops for the invasion of the countries which obeyed the Anti-pope Clement. They and their clergy acting under them, were authorised to grant full remission of sins to all who would serve in the crusade, or supply soldiers, or contribute money. The form of absolution is preserved by the old chronicler.† He, who, by person or by pence, would recruit the armies of Pope Urban, was declared "free from all sins which he had confessed, and for all which the penitent would have confessed and repented of, if he had

Wonderful intellectual activity of Wyclif at this period.

Increased bitterness of his last writings.

Scandalous crusade of Bishop Spencer in behalf of Pope Urban against the adherents of Pope Clement.

Pardons for sin and indulgences offered to the crusaders, and to all who would give money in aid of it.

* His treatises "On obedience to Prelates," "On the deceits of Satan and of his Priests," "On the duty of Lords," "Of Servants and Lords," "Of good Preaching Priests," "On the Prayers of good men," "Of Clerks' Possessions," and "On the Church and its Members," are all assigned to this period, and probably several others might be.

† Walsingham, p. 80.

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remembered them." Archbishop Courtenay, daring to write in the name of "Jesus Christ, the King of Peace," ordered public prayers for the success of the crusade, and bade his bishops and clergy obtain contributions from their flocks.* Spencer, the martial Bishop of Norwich, who had so fiercely signalised his valour against the insurgent peasants in the preceding year, came forward as the promoter in England of this Holy War, and led himself the forces that were collected in this country for its operations. A force comprising 2,500 men-at-arms, and 2,500 archers, was led by him to Calais. Weary of waiting there for reinforcements before they advanced into France, they made an inroad into the parts of Flanders, which then obeyed the French King. They took by storm Gravelines and Dunquerke; and the Christian men, women, and children of these towns were slaughtered without mercy being shown to any, by Christian soldiers, commanded by a Christian bishop, and fighting in the cause of a Pontiff, who claimed to be the spiritual father and head of Christendom. Ultimately the expedition was unsuccessful; and Bishop Spencer returned with the remnant of his crusaders, after a waste of men and money, which England at that time could ill afford. Wyclif's latest works contain several allusions to this expedition, which attest his holy indignation at this profanation of sacred names, this encouragement to vice and immorality, this stirring up of Christian men to bloodshed, and this weakening of England, by withdrawing her soldiers and her treasures, to serve the ambition of proud priests and prelates.†

1382.

Large force led by the Bishop of Norwich out of England.

He attacks the Flemish towns.

Cruelty of the crusaders.

Their ultimate failure.

Wyclif's indignant allusions to this crusade.

* See Dean Milman's note, Hist. Lat. Christ., c. vi. p. 133.

† "The sentence of the Curse expounded," chap. xvi., quoted in Vaughan, vol. ii. p. 237. See, too, "Of the Church and her Members," Todd's edition, xxxiii., and the editor's note, clviii.

1384.

In 1384 Wyclif received a citation to appear before Pope Urban, at Rome. We do not know the terms of the citation. Wyclif's answer has been preserved.* It is little more than a cold ceremonious expression of regret at his inability to take the journey. Wyclif alludes to the Roman Pontiff's title of "Chief Vicar of Christ on earth," and he points out in the letter that this title of the Pope proves that the Pope is of all men most bound to keep Christ's law, and that the Pope ought to renounce all temporal dominion. He concludes with a prayer that the Pope may be preserved from evil counsels.

Wyclif cited to appear before the Pope.

Wyclif's reply.

On the 29th of December, 1384, Wyclif was struck with paralysis, while officiating in the parish church at Lutterworth. He died on the last day of that year. His mortal remains were buried at Lutterworth, but did not lie there for many years. In 1416 the Council of Constance, the same assembly that burned John Huss and Jerome of Prague, passed a solemn condemnation of Wyclif's doctrines, and ordered that his bones should be dug up from the grave, and cast into the fire, and that the ashes should be scattered on the running stream. They who, in their impotent malice, issued this decree, little thought what important testimony they were bearing to the enduring influence of Wyclif, and to his imperishable claims on the gratitude of mankind.

Wyclif's death.

His mortal remains disinterred and burnt by order of the council of Constance.

It is easy to mark the faults in his character. They are obvious on the face of his own works. Wyclif's writings are often deformed by intemperate and violent expressions, though never exhibiting the coarse savagery, with which, a century and a half afterwards, Luther and his contemporaries carried on their literary

Wyclif's character.

* See Fascic. Zizan., p. 341.

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warfare. He was also in his controversial treatises somewhat given to mystical and far-fetched Biblical expositions and metaphors; although he recognised and enforced on others the principle of adhering to the grammatical and historical sense of texts, and of extreme caution in imposing a meaning on Scripture, which the Holy Spirit does not clearly command.*

Violence of some of his writings.

Causes of that violence.

The "root and branch" spirit, with which he assails existing institutions, appears sometimes to show a love of destruction, rather than a wish for reform. But we must remember how gross were the abuses of his age; and how many and strong were they, to whom those abuses brought gear, and gold, and power, and pomp, and sensual delights; and who consequently hated and maligned, and sought to destroy the man, who dared to call evil evil. Wyclif often expresses his firm faith that the cause of God, and of Truth, and of Purity, would ultimately prevail; but he saw no prospect of this coming speedily to pass, of "Antichrist and his Meynee" being overthrown in his own days. He believed that he wrote in imminent peril of martyrdom. He felt no immediate call to the task of reconstruction; and he deemed that all his energies were required for the duty of overthrowing evils.

Attention has already been drawn to the perilous consequences likely to follow his doctrine of "Dominion founded in Grace," when that principle was enounced to men, who did not hear or could not heed the subtle reasonings and the countervailing maxims, which its author put forth together with that theory. Wyclif's opinions as to church government, church funds, and church discipline, will be variously judged of at the present time, according to the church or sect, to which each reader of them adheres; but very many readers will

* See Trialogus, p. 243.

doubt the wisdom of his scheme for filling the country with itinerant preachers without endowment, without ecclesiastical discipline, each of whom was to wander or to sojourn, and each of whom was to teach and preach according "to the moving of the Holy Spirit," he himself being to himself the Holy Spirit's sole interpreter.

Purity of his life. His eminence in learning, and intellectual ability. Extent and endurance of his influence over Europe.

The purity of Wyclif's private life, the strength and the subtilty of his mind, the amplitude and profoundness of his learning, and his unwearied industry, are attested by his opponents, as well as by his followers and admirers.* His influence over Europe was widespread and enduring. It is stated by the best modern authority on the subject, that "there was a time when Wyclif was the most popular writer in Europe. His works were circulated among every rank and order in England; they passed over into all parts of the continent, especially into Bohemia; and those for whom his long scholastic treatises were too costly or too tedious, extracted the more striking passages, and, even, it would seem, in his own lifetime, issued them under separate titles."† The Bohemian reformers, John Huss and Jerome of Prague, were converted by Wyclif's writings, and met death rather than abandon his tenets.

* "No friendly [contemporaneous] hand has left us any even the slightest memorial of the life and death of the great reformer. A spare, frail, emaciated frame, a quick temper, a conversation most innocent, the charm of every rank; such are the scanty but significant fragments we glean of the personal portraiture of one who possessed, as few ever did, the qualities which give men power over their fellows. His enemies ascribed it to the magic of an ascetic habit: the fact remains engraven upon every line of his life."—Introduction, Fascic. Zizan. xlvi. Mr. Shirley gives authorities in his note. Knighton says that he was "Doctor in Theologia eminentissimus, in philosophia nulli reputabatur secundus, in Scholasticis disputationibus incomparabilis." Neither Knighton nor Walsingham, though bitter without mercy against Wyclif as a heretic, bring a single charge, or hint at a single suspicion against his morals.

† Shirley.

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In after years the writings of Wyclif's pupil, Huss, were studied and were edited and eulogized by Martin Luther.*

The works of Wyclif which thus laid the seeds of the Protestant Reformation of Germany in the sixteenth century, were his Latin treatises, in which his philosophical and doctrinal theories are fully and elaborately expounded.

These Latin treatises are always full of vigour, but in general† they are unimpassioned. They are correctly described as containing Wyclif's appeals to the educated intellect of his time throughout Christendom.

Character of his English writings.

His English tracts, which were written for circulation among the laymen of his own country, are of a very different character. They are almost always moderate in length, vehement in tone, plain to common understandings, and written chiefly in short antithetical sentences, such as would strike the multitude, and would stay long in their memories. Wyclif's very numerous English works exist at present, with a few exceptions, only in manuscript, and consequently are but little

* See Lenfant's History of the Council of Constance, pp. 26, 201, and Luther's preface to his edition of Huss.

M. de Bonnechose, in his work entitled "Reformateurs avant la Reforme," says truly, "Wycliffe annonce Luther : il fut par son génie, par la hardiesse de sa parole, et par l'exemple de sa vie entière le veritable père de la réforme du xvi. siècle, à laquelle Luther attacha son nom," vol. i. p. 75.

Professor Ranke, in his remarks on the early career of Luther, says, "We must not omit to notice the fact that the doctrines of Wyclif, which had spread from Oxford over the whole of Latin Christendom, and broke out with such menacing demonstrations in Bohemia, had not, in spite of all the barbarities of the Hussite wars, been extirpated in Germany. At a much later period we find traces of them in Bavaria, where the Böklerbund drew upon itself the suspicions of Hussite opinions ; in Swabia and Franconia, where the council of Bamberg at one time thought it necessary to compel all the men in that city to abjure the Hussites ; and even in Prussia, where the adherents of Wyclifite and Hussite doctrines at length submitted, though only in appearance."—Ranke's History of the Reformation, vol. i. 308.

† Not always. See, for instance, the chapters against the Friars in the last half of the fourth book of the Trialogus.

known. Those, who are best competent to form a judgment of them, have written most strongly in their praise.*

Numbers of his followers in England.

The numbers and the zeal of Wyclif's followers in England are abundantly attested by the complaints of their adversaries. The strong measures taken by Archbishop Courtenay, at Oxford, in 1382, certainly checked the prevalence of the new doctrines in that university, but he could not arrest their progress in the country generally. As we shall soon have occasion to notice, the sanguinary legislation of the Lancastrian Kings against Wyclifism (or Lollardism, as it was termed), proved inefficient to eradicate it, or to prevent its extensive increase and firm endurance, especially among the artisan and trading classes of the towns.† Germany reciprocated to England the Refor-

His influence endures to the Reformation,

* Dean Milman says of Wyclif :—"His English is rude, coarse but clear, emphatic, brief, vehement; with short stinging sentences, and perpetual hard antitheses." Mr. Shirley (Introduction to Fascic. Zizan., p. xlvi.) calls Wyclif "the father of English prose." He adds, "It is not by his translation of the Bible, remarkable as that work is, that Wyclif can be judged as a writer. It is in his original tracts that the exquisite pathos, the keen delicate irony, the manly passion of his short nervous sentences, fairly overmaster the weakness of the unformed language, and gives us English which cannot be read without a feeling of its beauty at this hour."

Three of Wyclif's English tracts, "Of the Church and her Members," "Of the Apostacy of the Church," "Of Antichrist and his Meynee," were published in a little volume, with notes and glossary by Dr. Todd in 1851. The last of these, that on "Antichrist and his Meynee," contains many vigorous passages in the antithetical style noticed by Dean Milman. Wyclif's Prologue ij to his translation of the New Testament is a favourable specimen of his English style. Many extracts from various English works of the great Reformer are given by Mr. Sharon Turner in the fifth volume of his History.

† Mr. Hallam (Middle Ages, chap. ix. part 11) gives his opinion that multitudes secretly cherished the doctrines of Wyclif down to the era of the Reformation. He attributes much importance to their having been embraced by men of rank and civil influence. I incline to think that the persecutions under Henry IV. and Henry V. checked the growth of Wyclifism among the higher classes. The execution of Sir John Oldcastle was a terrible warning. I believe that the reformed doctrines spread and retained ground most among the middle classes, among traders and artisans, who could read the Bible in English, and whose learning probably did not extend

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and is a main cause of the success of the Reformation in England.

matory influence, of which England had in Wyclif's time given the original motive source to Germany: and when the passions of Henry VIII. hurried on the final rupture of the Anglican from the Romish Church, thousands among the most intelligent and valuable classes in this country were already, and long had been, as anti-papal as Luther, and as resolute holders of most of the doctrines, which, since Luther's time, have been deemed the peculiar tenets of Protestantism. From these classes came the great majority of the English Protestant martyrs in Henry's and in Mary's persecutions, even as they supplied the great majority of the Lollard martyrs in the reigns of the first sovereigns of the House of Lancaster.

Finally, let us ask to whom (under Providence) ought we to ascribe the fact, well known by all who observe carefully the religious feelings and customs of the peoples of Christendom,—the fact which has of late been eloquently attested by an Englishman, who is now an adherent of the Romish Church,*—the fact that the English are the most Bible-reading nation in the world, and the fact that "Bible-religion is both the

much further. It is not to be supposed that the peasantry (after the memory of 1381 had died out, and after the Itinerant Priests had been put down) knew much about the Wyclifites or Lollards. London was certainly the stronghold of the new doctrines.

I have used the words "Wyclifites" and "Lollards" as convertible terms; but the latter soon became the name by which the holders of the new opinions were exclusively called.

Of course I do not mean that all the Lollards adopted all Wyclif's doctrines, or that they held no doctrines that had not been taught by Wyclif. There were great divergencies of opinion among them; but I believe that all Lollards agreed in the following matters, all of which had been taught by Wyclif:—1. Bible-reading, and the right of private judgment in drawing rules of faith and of conduct from the Bible. 2. Vehement denial of the doctrine of Transubstantiation. 3. Vehement opposition to the Papacy. 4. Opposition to the possession of temporal wealth, and the exercise of temporal power, by the clergy.

* See Dr. Newman's Grammar of Assent, p. 54.

recognised title and the best description of English religion?"

We may answer, that this has been wholly brought to pass by no one man, and by no one generation of men; but that the man to whom the "Bible-religion" of England is primarily due, the man who first placed the Bible in the English language in the hands of Englishmen, and who first taught them the duty of studying the Bible, and of making the Bible their rule of faith and of life, was a lecturer in an English University, and a rector of an English parish, 500 years ago, the Patriarch of the Reformation, John Wyclif.

CHAPTER VI.

General history of Richard II.'s reign—Troubles of its first years—Characters of his uncles—His proneness to low favourites—The French war—Reverses of the English—Serious peril of French invasion—The French expedition baffled by adverse winds—Truce with France—Scottish wars in Richard's reign—Irish affairs—His successful expedition to Ireland in 1385—Constitutional history of England during this reign—Proceedings of Richard's first Parliaments—Dissension between the King and Parliament—Impeachment of the Earl of Suffolk—Ascendancy of the Duke of Gloucester—Council of Regency—Further impeachments—The King overthrows the Regency—Death of Gloucester—Disposition of Richard—He goes to Ireland—The Duke of Lancaster returns from exile with an armed force—The people join him—The King falls into his power—Richard II. is formally deposed—Legislation of this reign—Increased power of the Court of Chancery.

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High expectations formed of young King Richard II.

He "unbeseems the promise of his spring."

THE spirit and sense, which the young King had displayed in his encounter with the insurgents in 1381, gave promise of a glorious reign. If Richard of Bordeaux had been one of the so-called favourites of heaven, who die young, he would have been mourned and lauded in history as the young Marcellus of our throne. But he soon unbeseemed that promise; and as he advanced in years, the vices of his character began to display themselves:—profligate extravagance, degrading subserviency to favourites, insolent impatience of prudent advice or lawful control, and a capacity for dissimulation and sudden vindictive violence, which would have made him formidable, if he had not been deficient both in far-sighted judgment, and in sustained energy of action.

The prelates and barons of the realm assembled and

appointed a Council of Regency on the third day after Richard's coronation. The work of Government was arduous. The French were again at open war with England; their fleets commanded the Channel, and attacked and pillaged our coast. Hostilities with Scotland also broke out in 1378. At home there were the domestic discontents and dissensions between the classes of society, which soon broke out into open insurrection. Further trouble was created by proceedings taken, at the bidding of the Pope, against Wyclif, which have been narrated in the last chapter.

1377. July, 19. Council of Regency formed.

Three of the sons of Edward III. survived him. These were John of Gaunt, Duke of Lancaster, who assumed the title of King of Castille; Edmund of Langley, Earl of Cambridge, made afterwards Duke of York; and Thomas of Woodstock, Earl of Buckingham, made afterwards Duke of Gloucester. It will be convenient to speak of these princes by their ducal titles. Lancaster and Gloucester were men of considerable ability, but both of them were ambitious, turbulent, and unscrupulous. The Duke of York was a prince of more integrity and fairness, but he was inferior to his brothers in power of mind. The King's mother dreaded the influence of these princes of the blood royal, and kept young Richard as much aloof from them as possible. He seems to have grown up in the society of courtiers, and of sycophants, low alike in rank and disposition. Richard II. thus contracted early that foolish self-sacrificing fondness for worthless favourites, which had brought Edward II. to shame, dethronement, and death, and which was attended with the same results in his own case.

Characters of the young King's uncles.

His early proneness to low favouritism.

None of the principal actors in State affairs during this reign can inspire much personal interest; but it is a very important period in English constitutional

Importance of this reign in Constitutional history.

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1386.

history, as well as in the social history of our nation, a part of our subject already dealt with. Adverting briefly to the military events of this reign, and to many portions of the feuds and plots of the King and of the leading nobles against each other, we shall find much to deserve attention in the proceedings of the Parliaments, and of the tribunals of justice; and in Richard's attempt to make them completely subservient to the royal will.

The French War. Reverses of the English.

The last truce made by Edward III. with the King of France had expired shortly before Richard's accession; and the French had then renewed hostilities with great activity, not only attacking the remnants of the English possessions on the Continent, but sweeping our merchant ships from the Channel, plundering the English coast, and menacing the whole realm with more serious invasion. The Spanish squadron aided the French in these operations, in consequence of the Duke of Lancaster continuing to claim the crown of Castille in right of his wife, the daughter of King Pedro the Cruel. Some of the hostile attempts made by the enemies were bravely repulsed; and more than one expedition of English ships and troops was led against them with varying success. But, on the whole, the war was disastrous to England, especially by reason of the enormous expenses which it made inevitable, and by the increased pressure of taxation on the English people. In 1386, the selfish ambition of the Duke of Lancaster exposed England to serious risk of actual invasion and permanent conquest by French armies. Lancaster, in the June of that year, took with him to Spain the greater part of the English navy, and an army of 10,000 men, which comprised the flower of the chivalry of the nation. His operations in Spain ended in a compromise with

The Duke of Lancaster's claims on the crown of Castille.

Expense of the war and consequent pressure of taxation.

Serious peril of French invasion in 1386.

Lancaster's expedition to Castille.

the reigning King of Castille, by which Lancaster's daughter acquired a throne, and Lancaster himself gained a considerable annuity; but in the meanwhile England was nearly lost. The advisers of the young French King, Charles VI., saw the opportunity of dealing a deadly blow against France's great enemy, and they prepared to avail themselves of that opportunity with unusual vigour. Every ship between Seville and Hamburg, that the French could bring into their service, was collected in the harbour of Sluys, and in the adjacent harbours along the Flemish coast. The French King and his nobles marched thither at the head of a large army, the most brilliant, and the best-equipped, that had been brought together under the Oriflamme for many years. Heavy taxes had been imposed on all classes of the French nation for the equipment of this great armament. Transports for the embarcation and conveyance of cavalry, as well as of infantry, had been prepared; and the total number of large vessels that lay ready for the expedition was reckoned at thirteen hundred and eighty-seven. On the English side the preparations for defence were tardy and feeble; and it seems certain that the invasion would have been effected, and that heavy calamities, if not actual subjugation, would have been brought upon our country, had not the winds been steadily adverse to the French, cooping their vessels in harbour from the middle of August, which had been fixed as the time for sailing, until the last day of October, when at last the impatient host welcomed a wind that blew fair for England. They embarked and put forth, unopposed by any human enemies; but before they had proceeded many miles, the wind blew again from the old quarter, and freshened to a gale, which drove them back to the Flemish coast, with heavy loss both of ships and men.

Strength of the French armament.

Feebleness of the English preparations for defence.

The French fleet coast-bound by adverse winds.

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After this failure the expedition was first adjourned until the following year, and ultimately altogether abandoned.

Truce with France in 1396.

Predatory warfare in the channel and along its coasts continued for the next ten years, when Richard married a princess of France, and an agreement for a truce for twenty-five years between the two nations formed one of the articles of the marriage-treaty.

Hostilities with the Scotch in this reign.

As usual, while the French had been carrying on hostilities with England, the Scotch had done the same. The usual devastations had been spread over the border shires of each country; and in 1385 a powerful English army, under King Richard himself, entered Scotland; and, like so many other powerful English armies, found no enemy to encounter it in the open field, overran much undefended territory, captured several castles and towns, and marched back and disbanded, without having effected anything towards finally determining the long struggle between the two nations.

Successful expedition of Richard to Ireland, 1394.

In 1394 Richard led, with better success, an expedition into Ireland, where the native Irish had been gaining considerable advantages over the English settlers.

Retrospect of Irish affairs after the Anglo-Irish Barons' victories at Athunree and Dundalk.

We have seen that in Edward II.'s reign the English settlers in Ireland, when brought to extreme peril by the rising of the native Irish under Phelim O'Connor, and by the Scottish invasion headed by Edward Bruce, had for a while laid aside their feuds with each other, and had re-established English ascendancy by the victories of Athunree and Dundalk.

Revival of the Barons' feuds, and of the discord between the Irish Barons and the Crown.

But the old dissension between baron and baron, and between the general body of Anglo-Irish barons and the King of England, soon revived. An attempt which Edward III. made to secure more loyal officers of the Crown in Ireland only introduced a fresh element of discord. He

introduced, in 1341, a new body of officials, all of English birth as well as of English race; and he at the same time attempted an extensive resumption and redistribution of lands that had been granted by the Crown. The Anglo-Irish hated these mere English new comers even worse than they hated the natives. Intermarriages between the Irish and the descendants of the old Anglo-Norman settlers became more and more frequent; and increasing numbers of the last assumed the name, language, habits, and party-feelings of the aboriginal septs. The Crown vainly attempted to prevent this by the Statute of Kilkenny, which forbade intermarriage between the two races, and endeavoured to enforce the maintenance of English laws and English customs with severe and singular minuteness. But still the Anti-English movement continued: the King's dominion in Ireland grew less and less, until the whole island seemed likely to escape altogether from his rule.

Fresh element of discord between the English by birth, and the English by blood.

The Anglo-Irish blend more and more with the mere Irish.

Ineffectual attempt to check this by the Statute of Kilkenny, 1367.

Rapid diminution of the King of England's dominion in Ireland.

Richard II. landed at Waterford in the autumn of 1394 with a splendid army, comprising four thousand men-at-arms and thirty thousand English archers. The appearance of the King in person at the head of such a force awed mutinous barons and rebellious chiefs into temporary submission. Richard remained in the island for some months, during which he bestowed great care in reforming the mass of abuses of the Anglo-Irish government. He did more by these means to restore and strengthen his dominion there than could have been effected by victories in the field; and his Irish winter is the most creditable period of his reign.

Strength of the army with which Richard landed in Ireland.

Temporary submission of the Anglo-Irish, and of the Irish.

Richard's wise conduct there.

We now address ourselves to the internal history of England while Richard was on the throne, and also during the period of his dethronement.

Internal history of England during this reign the

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most important.

Richard's First Parliament, October 13, 1377.

The proceedings of the very first Parliament, that assembled after his accession, deserve our careful consideration. It will be remembered with what boldness the Commons had in the last year but one of King Edward's reign demanded and enforced the redress of grievances, and the punishment of offenders against the State. A temporary reaction had ensued during the brief interval between the death of the Black Prince and the death of King Edward; but in the Parliament that assembled in the October after the accession of Richard the majority of the Representatives of the Commons were the same men who had been prominent in the "Good Parliament," as the Reforming Parliament of 1376 was popularly styled.

The Commons require successfully that the monies voted by them for the war shall be placed in the hands of commissioners named in Parliament.

When the usual demand of subsidies to meet the expenses of the war was made in Parliament on behalf of the King, the Commons succeeded in an important stipulation that the monies voted and levied for that purpose should be paid into the hands of officers nominated and sworn in Parliament to see that those monies were appropriated to the purposes of the war exclusively. In the next Parliament the Commons demanded to have the accounts of these officers laid before them. The King's ministers objected; but the Commons were firm, and the accounts were produced and submitted to their scrutiny.

Second Parliament, Oct. 1378.

The Commons require the accounts of past expenditure to be laid before them.

1379. Accounts freely rendered by the Government.

This submission on the part of the Government was accompanied by a protest that the accounts were exhibited by the King as a mere act of grace, and that it was not to be drawn into a precedent. But in the next year the Government offered the production of accounts as soon as the Parliament assembled, and before there had been even a petition for this exhibition.

The events connected with the insurrection of the peasantry and its suppression have been already narrated; including the emphatic address by the Commons in 1382, complaining of misgovernment, and urging administrative reform. As Richard advanced in years, and took part in actual government, his bad qualities, his excessive prodigality, his proneness to favouritism, and his haughty violence at the least check or remonstrance, began to display themselves more and more. The discontent between the Crown and the Commons grew more and more formidable. The necessities of the Government made the annual assembling of a Parliament indispensable; and the opening of every session was marked by requisitions for augmented supplies on one side, and by demands for ministerial changes on the other. At last, in the 10th year of Richard's reign, the storm of popular indignation broke; and he found himself obliged for a time to bend completely beneath it.

Urgent demands of the Commons for administrative reform.

Richard's bad qualities develope themselves.

Increasing discontent between the Crown and Parliament.

Collision in 1386.

The King's uncle, the Duke of Gloucester, placed himself at the head of the Parliamentarian party against the Crown. Gloucester was a violent and unprincipled man; and it is impossible to ascertain how far personal animosity and selfish ambition may have instigated many of the measures taken on the side of which he was the leader.

The Duke of Gloucester at the head of Richard's opponents.

The chief object of attack on the part of the Parliament was the Earl of Suffolk, who was Richard's Chancellor, and who was regarded as his most influential minister. The two Houses sent a message to the King, demanding the removal of Suffolk from the Council, and stating that charges were to be preferred against him. Richard haughtily replied that he would not discharge his meanest scullion on their interference. He bade them address themselves to the grant of a subsidy;

The two Houses attack the Earl of Suffolk, Richard's Chancellor, October 1, 1386.

Richard's imperious resistance.

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He withdraws from London.

and leaving Westminster, where the Houses were assembled, the King betook himself to the palace of Eltham, where, with his favourites around him, he indulged in his customary pageantry and festivals. But he had no armed force to back him up in the high tone which he had assumed, and the next proceedings of the Parliament warned him that his only choice lay between submission or deposition. The

Firmness of the Houses.

Houses refused to consider the subject of a subsidy, until the King should dismiss the Chancellor, as desired by them; and they moreover asked the King to appear personally in his proper royal station in his Parliament. One member of the House of Commons moved that the Statute or Resolution of Parliament by which Edward II. had been deposed should be sent for and read aloud.* Gloucester headed a deputation to the King, and urged strongly on him the peril in which he was placing himself by prolonged refusal to the popular de-

Richard gives way.

mands. Richard obtained a promise that there should be no molestation of his ministers or statesmen, except the impeachment of the Chancellor; and he then attended in Parliament, and consented to Suffolk's removal from office, and to the investigation of the charges against him.

Impeachment of

The Commons impeached Lord Suffolk as the chief

* I agree entirely with Mr. Hallam's reasoning (vol. iii. Middle Ages, p. 68, note) as to the substantial accuracy of the narrative of these proceedings which is given by Knyghton. The absence of any mention of them in the Parliamentary roll is the less important, because we have good reason to know that the Parliamentary records of this time were tampered with by those in power.

It is probable that the treatise called the "Modus tenendi Parliamentum" was referred to by the Parliamentary leaders on this occasion. The probable date of this treatise, and the great importance which was assigned to it, have been spoken of at p. 24, *et seq.* of this volume. See the clause requiring the King's personal attendance in Parliament, cited at p. 27.

the Earl of Suffolk.

agent in the misappropriation of supplies, which had been granted for specific purposes; and they imputed to such misappropriation the late frequent captures of English vessels at sea, the ravages of the English coasts, and the fall of the city of Ghent, one of England's oldest and best allies. Other articles charged him with serious matters of maladministration in the internal affairs of the kingdom. There were also charges of personal misconduct in accepting excessive grants from the Crown, and of official misconduct as Chancellor, in putting the great seal to illegal pardons and charters. The accused was heard in his defence before the Lords; the managers for the Commons replied, and the Earl was then allowed to speak last by way of rejoinder. The Lords found him guilty of the slighter parts of the charges only: and judgment was given against him that he should forfeit certain sums which he had received, and be imprisoned during the King's favour. Such a sentence against a king's favourite was little more than nominal; and Suffolk was at liberty soon after the dissolution of the Parliament in which he had been prosecuted. But his impeachment is justly regarded as a most important circumstance in our constitutional history. The high rank of the offender, the nature of some of the charges for maladministration on which the Commons impeached him, and the methodical regularity of the proceedings, made the trial of Lord Suffolk a still more valuable precedent and authority than the trials of Latimer, Peachy, and others in the late reign had been, to establish the responsibility to Parliament of the Crown's advisers, and the right and power of the Commons, acting as the grand inquest of the whole nation, to bring State offenders to justice, even

Constitutional importance of this trial.

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if they have committed no specific offence, of which the ordinary tribunals could take cognisance.

The next measures of Gloucester and the popular party were of a more violent and revolutionary character, though not wholly unwarranted by precedent, and certainly not without considerable justification, on account of the persevering folly and favouritism, which the young King had been exhibiting, and the effects of which was so disastrous to the commonwealth. Following the course taken by the associated Barons against King John in 1215, by their descendants against Henry III. in 1258, and by the Barons who opposed Edward II. and his favourites in 1310, the Commons demanded that the King should sign a commission appointing eleven Prelates and Barons, together with the three chief officers of State, to be a permanent Council to inquire into and reform abuses, and to advise the Crown. Heavy penalties were to be imposed on all who thwarted their advice. The King yielded, and the commission was appointed for a twelvemonth. It comprised Gloucester, and others who had been most active against the King; and, practically, almost all power was taken out of the King's hands, so long as the Commission existed. It is vain to speculate whether not only Gloucester, but also the great body of the Englishmen of wealth and substance who had formed the predominant party in the Parliament of 1386 intended that the Commission, though nominally for a year, should be prolonged, so as to be a virtual dethronement of the King; or whether (which is far more probable) the general design of the Parliamentarians was to restore the royal authority to Richard, after a season, during which abuses might have been reformed, evil counsellors and favourites kept away from the royal

Commissioners appointed to reform abuses, and to counsel the King.

It is made penal to thwart their counsel.

The sovereignty practically put in commission for a year.

presence; and during which a prince, who had shown before the age of manhood such bright flashes of manly spirit and sense, might have trained himself to shake off boyish follies, to curb profligate and degrading propensities, and to rule as well as to reign in the spirit of his father the Black Prince, and of his royal grandfather in that grandfather's happiest days. Before the twelvemonth appointed for the duration of the Commission had expired, open civil war between the King and his people had broken out.

Civil war before the end of the year.

Richard had never designed to do penance under the rod of the Commissioners for a moment longer than superior force made submission unavoidable; and, before the Parliament of 1386 separated, he made a formal protestation that nothing which had been done therein should enure to the prejudice of the King, or to the disparagement of the prerogatives of the Crown. He had many adherents; and he forthwith applied his abilities, which were considerable, to gain and organise partisans, by whose aid he might liberate his royalty, and obtain a full revenge upon those who had enthralled it. Gloucester seems to have watched him narrowly but silently, to have given him no warning, and to have attempted no check upon his first measures. Gloucester's general character warrants too well the belief that he must have seen with pleasure the young King's entry on a course sure to end in open collision and hostilities, and to place the reality, if not the name, of sovereignty more and more within Gloucester's grasp.

Richard prepares for reaction and revenge.

One of those who stood highest in Richard's favour was Robert De Vere, who had received from the King the dignities of Earl of Oxford, Marquis of Dublin,

Robert de Vere, Duke of Ireland.

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and Duke of Ireland, with powers of viceroyalty over that island. By the stipulation which Richard had made in favour of his other friends, when he consented to the trial of Suffolk, De Vere retained his honours and wealth; and the King's will was announced that he should repair to his Irish government. No objection was raised by Gloucester to this, or to the King's accompanying him as far as Wales. The real object of Richard and his adherents was to obtain the opportunity of concerting their reactionary measures out of the sight and reach of the ruling Commissioners. He and the Duke of Ireland moved from Wales to the North of England, where pains were taken to win over the young nobles and the chief gentry and citizens, and to induce them to wear Richard's livery, and take an oath to stand by him against all manner of men whatsoever. At Nottingham he was joined by Sir Nicholas Bramber, one of Richard's most vehement partisans in the city of London, by Sir William Tresilian, the Chief Justice, and four other judges, who were thought to be most zealous in the King's cause. A Council was held at Nottingham Castle, and on Tresilian and the other judges being summoned before the King, certain written questions were propounded to them, in which it was, among other things, demanded how those ought to be punished, who had procured the making of the late Commission. The Judges' answer was that all who had done so were punishable by death, as were those also who excited the King to consent to the statute ordaining the Commission. The King asked them whether, if in a speech from the throne, the King limited certain subjects as those to which the Parliament should attend, and the Lords and Commons nevertheless proceeded to other business, and would not give heed

The King and the Duke of Ireland travel to Wales as if on the road to Ireland.

They go from Wales to the North of England to collect adherents.

The Judges summoned at Nottingham and extra-judicial opinions obtained from them against the King's opponents.

to what the King desired, until he had answered the matters which they brought before him, such disobedience to the royal will was unlawful. The Judges replied that they who so disobeyed the King should be punished as traitors. They said also, on further questioning, that it was treason to impeach in Parliament any of the King's officers and justices against the King's will; and that the person who in the late Parliament had moved that the Statute deposing Edward II. should be sent for, ought to suffer death as a traitor. These answers were written carefully down, and the judges' seals were set to them. An oath of secrecy was imposed on all present; but full intelligence of all that passed was sent the next day to the Earl of Kent, who transmitted it to Gloucester.

Richard endeavours to pack a Parliament.

Having, as he supposed, thus ensured the condemnation and judicial destruction of his adversaries, Richard further endeavoured to pack a House of Commons, and obtain a Parliament as subservient as the Bench. The sheriffs received the King's commands to allow no knight to be returned who had taken part against the Crown in the late troubles. The answers given by the sheriffs were generally unfavourable to Richard's requisition; but he determined to proceed by arresting the chiefs of the party opposed to him, and by sending them for trial before the judges who were pledged to convict them. Bills of indictment were accordingly prepared by the King's legal officers, and Sir Nicholas Bramber pledged himself that still more effective weapons should be ready on the royal side in the hands of the citizens of London. The Commission was to expire on the 19th of November. On the 10th of that month Richard, with the supporters whom he had been able to muster, entered London amid the enthusiastic cheers of many of the

Indictment prepared by the King's officers against the chief of the late Parliament.

Nov. 10. Richard enters London in seeming

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certainty of crushing his adversaries.

Vigilant and effective measures taken by Gloucester and others of the chief nobles to defeat the King's schemes.

Flight of the Royal favourite.

The Duke of Ireland raises a royalist force.

Defeated by Gloucester and the Earl of Derby.

Complete ascendancy of Gloucester.

A Parliament summoned.

Prosecutions against the King's councillors and the Judges.

Violence of Gloucester and his "Merciless Parliament."

inhabitants, whom Sir Nicholas Bramber had persuaded to wear the King's livery of white and crimson, and whom he had sworn in as the King's supporters until their last breath. But his vigilant and powerful adversaries had been more active still. On the morrow after his triumphant entry into his capital, Richard learned, with consternation, that an army led by the Earls of Derby, of Arundel, and of Nottingham, and others of the most powerful nobles, as well as by the Duke of Gloucester, had been silently and rapidly drawn together to the gates of London. Resistance on the part of the royalists was impossible; and the Duke of Ireland and the other royal favourites sought safety in flight. By Richard's orders, the Duke of Ireland raised some forces in Wales and Cheshire, and marched towards London to liberate the King. But he was encountered and totally defeated at Radcot Bridge by part of the Baronial forces under Gloucester and the Earl of Derby.

Gloucester was now completely master of the State. A Parliament was summoned, which was more zealous on his side even than that of the preceding year. Prosecutions in Parliament were instituted against the Duke of Ireland and the Earl of Suffolk (who both evaded apprehension), the Archbishop of York, Sir Robert Tresilian, and Sir Nicholas Bramber for high treason. The other judges who had signed with Tresilian were also tried as traitors, as were afterwards many more of the King's best-known advisers and adherents. Justly punished as were many of these men, there was a degree of violence and vindictiveness in the proceedings against them, which gained generally for the assembly in which they were condemned, the name of the "Merciless Parliament," though the resolute adherents of Gloucester styled it the "Wise Parliament."

For a little more than a year the Duke of Gloucester was the real lord of England. Whether during that time he alienated from him personally the other powerful barons who had taken part with him against the Crown, or how it was that he neglected keeping up a force sufficient to maintain his ascendancy, we know not; but it is certain that Richard in May, 1389, by a sudden and decided expression of his royal will, took the administration out of Gloucester's hands; and became again a real king. At a full meeting of the Council he turned unexpectedly towards Gloucester, saying, "Uncle, I request you to tell me my age." Gloucester replied, "Your Highness is in your twenty-second year." "Then," said Richard, "I must be old enough to govern for myself. I have been longer under guardianship than any ward in my realm. My lord, you are dismissed with thanks for your past services." Richard proceeded to demand the seals of office from the Archbishop of York, who was Chancellor, and the keys of the Exchequer from the Bishop of Hereford, who was Treasurer. All yielded in helpless amazement to the resolute commands of the King; who forthwith placed friends of his own in all the high offices of State. Richard used his regained authority at first with lenity as well as with firmness. The Duke of Lancaster about this time returned from Spain to England, and endeavoured, with seeming success, to effect a reconciliation between the King and Gloucester. Lancaster's son, the Earl of Derby, became for a time as zealous seemingly in support of the King, as he had been on the side of his opponents. A period of comparative quiet followed, during which (1394) the King undertook the expedition to Ireland, which has already been spoken of. It was also during this

Richard suddenly recovers power.

The King makes his own friends officers of state.

Period of comparative tranquillity.

Beneficial influence of the Duke of Lancaster.

The Earl of Derby becomes a Royalist.

Expedition to to Ireland, 1394.

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pause from civil strife that Richard concluded (1396) the twenty-five years' truce with France, and entered into a contract of marriage with Isabella, the French King's daughter, who then was only seven years of age. Richard's first wife, Anne of Bohemia, had died childless in 1394.

King's marriage with French Princess, and truce with France, 1396.

Whether the renewal of designs against Richard by Gloucester revived Richard's animosity against his uncle, or whether the King had all along dissembled his undying hatred, and only bided his time until he could work full vengeance on those who had baffled and humbled him in 1387, it is difficult to determine. Both states of facts may to some extent have concurred. But certainly in 1397 the King threw aside all mask and moderation, and assailed his old enemies with equal dexterity and ferocity. He had assured himself of the full support of several of the most powerful nobles, among whom were two, the Earl of Derby and the Earl of Nottingham, who had given most effective aid to Gloucester in 1387. There seems also reason to believe that the King took measures to secure the presence in Parliament of many Commoners on whom he could rely. This could be easily done, if the sheriffs, who conducted the elections and made the returns, were creatures of the King; and the complaints against Richard for illegally continuing the same person in office as sheriff for more than a year, with the King's avowed determination to act as he thought fit in the matter, tend strongly to show that this mode of packing a House of Commons was then understood and employed. Thus forearmed himself, the King determined to seize his enemies unforewarned. There was always risk of an insurrection if a powerful baron knew beforehand that his arrest was intended. But Richard secured

Renewal of civil dissensions, 1397.

Measures taken to procure a Royalist Parliament through the agency of Royalist sheriffs.

the persons of the chief objects of his hate, of the Earls of Warwick and Arundel, and the Duke of Gloucester, by the most unscrupulous, but skilful, treachery. Warwick was invited to the royal table as an apparently esteemed friend, and was arrested the same night. The Archbishop of Canterbury, who was Arundel's brother, was induced to bring Arundel to the King, as if the Earl's private advice was sought by Richard; and Arundel was then instantly apprehended and hurried to the Tower. Richard took into his own hands the task of luring his uncle, the Duke of Gloucester, to destruction. Gloucester was residing with his family at his castle at Plashy, near London. Richard rode thither with a small retinue, as if on a visit of friendship to his uncle, partook of supper with him, and after many fair words to Gloucester, and also to the Duchess and their children, who were present, Richard persuaded the Duke to accompany him back to London. They rode together for some distance in conversation, like friends; but when they had advanced as far as Stratford, the Earl Marshal made his appearance with a considerable number of the royal partisans. Richard then spurred away from his victim's side, and the Earl Marshal instantly arrested Gloucester in the King's name. He was thought too dangerous an inmate for any English prison; and was taken by Richard's orders to Calais, where he was soon afterwards murdered.

Treacherous surprise and arrest of the King's chief enemies.

Gloucester murdered at Calais.

A Parliament was now convened; and, to insure its subserviency, the King, when he came to open its proceedings, was accompanied by a powerful force of knights, men-at-arms, and archers, who all wore the royal livery. The Earls of Derby and Nottingham, and the other nobles, who had banded together to serve the King in those scenes of violence, now came forward to play their part. They appealed of treason

Meeting of Parliament.

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Appeal of treason against Gloucester, Arundel, and Warwick.

Impeachment of others.

The commission of 1386 annulled: all pardons under it cancelled.

Tresilian's extra-judicial answers declared lawful and true.

the Duke of Gloucester, the Earl of Arundel, and the Earl of Warwick. Gloucester's death at Calais might have cut short the forms of judicial proceedings against him, but Richard coveted his uncle's wealth. The lords appellant accordingly pressed for judgment against the dead man, and he was attainted as a traitor, and all his property was declared forfeit to the Crown. Arundel was beheaded, and Warwick was banished for life. The obsequious Parliament was ready with impeachments against others of the King's enemies. Lord Cobham was banished to the isle of Jersey for his life. Sentence of outlawry was passed against Lord Mortimer, who had escaped to Ireland. The Archbishop of Canterbury was impeached, and sentenced to banishment for life, and to forfeiture of all his temporalities. The Parliament annulled as illegal the Commission of 1386, and cancelled all pardons that had been granted under it. The answers of Tresilian and the other judges to the King's questions in 1387 were recapitulated, and were declared to have been given justly and lawfully. The sentence against the Earl of Suffolk on his impeachment in 1386 was reversed. The Parliament which thus overthrew the proceedings of its predecessors endeavoured to make its own perpetual, by enacting that it should be treason even to attempt to repeal any of them; and, in order to make them still more binding, all the Peers and members of the Commons on the last day of the session bound themselves by a solemn oath in the King's presence to observe them; and a bull was procured from Pope Boniface, at the close of the Parliament, solemnly ratifying all its acts, declaring them to be irreversible by future Parliaments, and denouncing excommunication against any future sovereign who should attempt to annul them.

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Richard obtains the means of governing without Parliaments.

Such an abundance of slavish zeal must have made Richard well content with his Peers and his House of Commons, who had, moreover, granted him a tax on wool for his life; but he seems to have made up his mind to rule in future at his own will, without the formality or trouble of convening, and of packing and coercing Parliament. It was not unusual towards the close of a Parliament for Commissioners to be appointed, who had authority to consider and dispose of petitions which the shortness of the session had not allowed to be inquired into and decided. A Commission was granted in Richard's last Parliament reciting the pending of such petitions, and authorising eighteen Commissioners to act after Parliament was dissolved, and to examine and fully determine as well the said petitions and matters therein comprised, "as all other matters and things moved in the King's presence, and all things incident thereto not yet determined, as shall seem best to them." The statute confirming the Commission (21 R. 2, c. 16) recites the pending of petitions only, and gives express power to adjudicate on petitions only, but it also refers to the record of the Commission and the Parliamentary rolls as setting out the statute more fully.* Any person who heard or read this Commission would suppose that "the other matters and things" spoken of in it referred to such matters and things only as were of the same nature as the petitions which were specially recited. Certainly every

His post-Parliamentary Committee.

* "Come plus pleinement appiert en le rolle du Parlement." This diminishes the weight of the statute as evidence against Richard on the charge of having falsified the roll of Parliament as to this commission; one of the charges brought against him when he was deposed (see Mr. Hallam's remarks on this, vol. iii. p. 78). Of course it does not prove Richard's innocence of the charge; but the wording of both the commision as it stands, and of the statute, seems to me to have been made craftily and purposely vague and general, so as not to awake suspicion at the time, but to be available for ulterior purposes.

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one would understand that the general words applied only to matters already pending, and not to new matters that might arise after the termination of the Parliament. But Richard had taken care that a majority of the Commissioners should consist of his unscrupulous adherents; and he and they, when the session of Parliament was over, assumed that the powers of the Commission extended permanently to all State affairs of every date and description. It was declared to be high treason to disobey the ordinances of the Commission, and an oath was imposed on all peers and prelates to keep both the statutes and ordinances made by the last Parliament, and those made afterwards by "the lords and knights to whom the King and the Parliament had committed power."

The Earls of Derby and Nottingham made Dukes of Hereford and Norfolk.

Their distrust of the King, and of each other.

Richard had rewarded the Earls of Derby and Nottingham for the parts taken by them in these proceedings by raising them in the peerage, Derby becoming Duke of Hereford, and Nottingham being made Duke of Norfolk. The King's express pardon had been granted to them for their share in the events of 1386 and 1387; but they justly distrusted the King's sincerity; and, like all renegades who have been accomplices in treachery, they with equal cause distrusted each other. A quarrel between them ended in Hereford accusing Norfolk of being a traitorous slanderer of the King. Richard, with the advice of his Commissioners, ordered the trial by battle between the disputants. But when the time arrived, and the signal for the armed litigants to encounter in the lists had been actually given, the King forbade the fight, and consulted his committee respecting the rival dukes. Then, acting as with the advice and concurrent authority of his Parliamentary Commissioners, the King summarily banished both accuser and accused from England.

Hereford accuses Norfolk before the King.

Trial by combat ordered.

Stayed by the King's command, and both Dukes banished arbitrarily by the King and his committee.

State-offences were set out in the sentence against Norfolk, who was banished for life. The reason for Hereford's exile was alleged to be the necessity of preserving the public peace ; and he received sentence of banishment for ten years. Both Dukes obtained patents from the King authorising them to take possession by attorney of any inheritance that might devolve on them, while thus compulsorily absent from the realm. But soon afterwards, on the death of Hereford's father, old John of Gaunt, the Duke of Lancaster, Richard and his council declared the letters patent to be null and void, and the lost patrimony of the banished Hereford was seized on by the King and the rapacious favourites, with whom Richard loved to be surrounded.

Death of John of Gaunt. The King robs Hereford, Duke of Lancaster, of his patrimony.

The King was now triumphant. All old humiliations, which he had borne from peer or Parliament, were amply revenged. His long-detested foes were in traitors' graves, or were pining in exile and poverty. He had a revenue for life. He had a council of devoted partisans, with whom he could make or break what laws he liked, and try and sentence whomsoever he pleased. He had made himself despot of his people ; and he gave all classes of his people a speedy and bitter lesson of what despotic rule can mean. He compelled men to give him their monies under the name of loans. He forced others to sign deeds confessing themselves to have been guilty of treason, and to be bound to pay penalties to the King, the sums of which were left in blank when the bonds were signed, and afterwards filled up according to the caprice of Richard's favourites, on whom he lavished these instruments of extortion. He declared the inhabitants of seventeen counties at once to be out of the protection of the law, under the pretence that they had aided

Triumphant position of Richard.

Oppressive character of his despotism.

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the King's enemies twelve years before in the hostilities at Radcot bridge. Men thus placed under legal disabilities were obliged to bribe the King's courtiers to obtain charters of pardon; and in the meanwhile were exposed without redress to outrage by the King's officials and adherents on their persons, their families, and their property. While thus earning the indignant hatred of the nation, Richard had the arrogant temerity to leave England for a new expedition against the malcontent Irish, who had defeated and killed his cousin and heir-apparent, the Earl of March. Richard set sail with a sumptuously equipped force from Milford Haven for Dublin in May, 1399, and early in July his banished cousin (who had become Duke of Lancaster on John of Gaunt's death) landed at Ravenspur, in Yorkshire, at the head of a scanty band of fifteen lances. He was received with enthusiasm. The powerful Earls of Northumberland and Westmoreland immediately joined him. The Duke of York (who had been left Regent of England) was afraid or unwilling to oppose him; and the Duke of Lancaster advanced unresisted to London, with an army that increased at every march. Political oaths in those days, as in others, were taken with a readiness and frequency commensurate with the facility with which they were broken. The Duke swore solemnly that he came only to claim his just inheritance, and to recover the honours and estates which had belonged to his father, and which had been unjustly withheld from him. This quieted the scruples, which some might have felt as to joining an army avowedly raised to dethrone the King; and the Duke was welcomed in London, as in every other town, by men of all ranks and parties, except the lately insolent but now terrified favourites of Richard. These, wherever captured, were put to

The King sails for Ireland, May, 1399.

The Duke of Lancaster lands in England in July.

Lancaster welcomed by all classes.

His progress to London.

His pretended moderation, and his perjury.

Execution of Richard's favourites.

death without mercy. After a brief halt in London the Duke marched westward, in expectation of encountering Richard, whose speedy return from Ireland with the troops that he had led thither, was naturally looked for.

The King had been vainly pursuing some bands of Irish rebels; and a considerable time passed without his receiving intelligence of Lancaster's landing in England. On being apprised of it, Richard sent the Earl of Salisbury with a small body of soldiers immediately to Wales, with orders to levy troops there, while the King collected his forces and shipping at Dublin for embarkation, and strengthened them by recruits gained from among the Irish. Salisbury formed an army of some strength in Wales under the royal standard; but Richard's coming was long delayed; and before he arrived Salisbury's raw levies and also his old troops had disbanded and dispersed. The greater part of the force which Richard led in person, deserted him on the second day after his landing, and he fled for safety to the strong castle of Conway. The Duke of Lancaster's army speedily approached the neighbourhood. By treachery and perjury the Earl of Northumberland persuaded Richard to leave the castle, and then made him prisoner and conducted him to Flint, where the Duke had halted. Lancaster met Richard with formal reverence as his King, saying that he would help him to govern his people better. Writs were issued by the Duke's orders in King Richard's name, summoning a Parliament to meet at Westminster. The royal captive was conducted to London, and lodged in the Tower, the title of King being still given to him, but his treatment becoming more and more rigorous.

Richard's attempts to raise a force in England.

His return to Wales.

He is deserted by nearly every one, and takes refuge in Conway Castle.

The Earl of Northumberland, by treachery, gets Richard into the Duke's power.

Richard a prisoner in the Tower of London.

On the 29th of September, the day before that appointed for the opening of the Parliament, a depu-

His abdication, 29th September. 1399.

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tation of prelates, barons, knights, and judges came to Richard in the Tower, and presented to him a formal deed of abdication, which, according to the report inserted in the Rolls of Parliament, he willingly adopted, and read aloud, as expressing his own will. By it he confessed himself to be incapable of reigning, and worthy for his past demerits to be deposed; he absolved his subjects on their part from all fealty and allegiance, and for his own part renounced all kingly authority. This document was read aloud the next day before the assembled members of the two Houses of Parliament. All formalities, that could point out the fact of there being no King, were rigidly observed. No Commissioner opened the proceedings—the name of Parliament was not assumed; but the members of both Houses were arranged in Westminster Hall before an empty throne. Richard's abdication was then read to them, and each member of the Three Estates, of the Lords Spiritual, the Lords Temporal, and the Commons, declared aloud that the resignation was accepted. Thirty-two articles of accusation against Richard, for various acts of misgovernment, were then laid before the assembly, in order that a vote of dethronement might be added to the acceptance of the abdication. One man alone, the Bishop of Carlisle, denied the right to depose the King. With that exception, a unanimous vote of condemnation and dethronement was given by the Three Estates; and Richard of Bordeaux ceased to be King of England.

His deposition by the Three Estates, Sept. 30, 1399.

Legislation of this reign.

Labour laws. 1. Ric. 2, c. 6. 12 Ric. 2, c. 4.

We have already had occasion to notice some of the most important legislation of this reign; the labour laws and the poor laws; the statutes of Provisors and of Premunire, more severe than the former statutes on the same subject, and which were rendered necessary by the increased rapacity which each of the

rival Popes displayed. Probably the growing influence of Lollardism in the Parliament contributed to the passing of these laws. We may also trace this influence in the statute passed in this reign to check the artifices, by which the ecclesiastics evaded the restraints of the Mortmain Acts.

As to Provisors, 13 Ric. 2, c. 2. 16 Ric. 2, c. 5.

One statute of this reign requires special observation. The severity of the old Forest laws was now much diminished, and Richard's Parliament took measures to guard against some abuses of power by the officers of the Crown, which still were practised under colour of these ancient royal game laws.* But at the same time they laid the foundation of a new system of game laws in favour of the upper classes against the lower, which was maintained for many centuries. The Act to which we refer, recites that divers artificers, labourers, servants, and grooms kept greyhounds and other dogs, and that they went hunting during church-time in the parks, warrens, and connigries of lords and others; and also that these artificers and labourers, under pretence of these huntings, made "their assemblies, conferences and conspiracies for to rise and disobey their allegiance." The Act then ordains "that no manner of artificer, labourer, nor any other layman, which hath not lands or tenements to the value of forty shillings by the year, nor any priest, nor any clerk, if he be not advanced to the value of ten pounds by the year, shall have or keep from henceforth any greyhound, hound, or other dog to hunt; nor shall they use fyrets, heys, nets, harepipes, nor cords, nor other engines, for to take or destroy deer, hares, nor conies, nor other gentleman's game, upon pain of one year's imprisonment; and that the justices of peace

Diminished severity of the old Forest laws.

1389. Passing of the first general game law. 13 Ric. 2, c. 13.

* 13 R. 2, stat. 4.

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have power to inquire of the offenders in this behalf, and punish them by the pain aforesaid."

This statute adds emphatic testimony in addition to the numerous proofs cited in the last chapter but one, of the bitterness of feeling between the rich and the poor, which was then prevalent. Many who heard this law, and who were punished under it, must have thought over, even if they durst not repeat, John Ball's revolutionary rhyme about the privileged gentry. The very recital in the statute as to the seditious assemblies still organised by the lower classes, shows that the spirit of disaffection was far from being quelled with Wat Tyler.

Title of Marquess introduced by Richard.

King Richard II. introduced the title of marquess in our peerage. He made his favourite Robert de Vere Marquess of Dublin by a charter, which is entered in the Rolls of Parliament, and purports to have been granted with the consent of the Estates of the realm.

Creation of peers in Parliament;

Several peerages had been granted by creation in Parliament in Edward III.'s time; and other instances are to be found in the Rolls of Parliament of Richard's reign, and of the reign of Henry V.

and creation by letters patent.

But creation by letters patent granted by the King now became the usual mode of conferring a peerage. In some cases the assent of Parliament appears to have been given to the patents; but that is not always to be traced. The reign of Richard II. is usually taken to be the period when the doctrine was settled as to creation of peerage by writ; that the King's writ of summons, if acted on by the grantee taking his seat, but not otherwise, confers the dignity and privileges of peerage, which descend to lineal, but not to collateral heirs. It is said also to have been then established that the royal grant of peerage by letters patent ennobles the grantee and his heirs, although the grantee omits to take his

seat among the peers by virtue of the patent. Probably it was not until a later period that these constitutional rules were thoroughly recognised; but it is certain that they grew by degrees into full establishment.*

Increased power of the Court of Chancery.

The actual authority of the Court of Chancery was much increased in this reign by an improvement in the process and practice of the Court, which was effected by John Waltham, Bishop of Salisbury, who was Master of the Rolls for many years in this reign, and who was Keeper of the Great Seal under several Chancellors, but never was Chancellor himself. He introduced the practice of issuing a writ of subpœna to compel the appearance of the party, against whom a complaint had been made before the Chancellor. The complainant was required to file a written statement of his grievances before the writ was issued; and the defendant was obliged to put in a written answer to this "bill" of the plaintiff. The great increase in the number, and in the importance of the cases, which were decided by the Court of Chancery after these improvements in its system of procedure, has led many writers to describe Bishop Waltham as the founder of the equitable jurisdiction of the Court of Chancery. It is of greater antiquity. It is traced clearly as high as Edward I.'s reign, nor is there any proof that it then was regarded as a novelty.†

* See *supra*, vol. i. p. 451, for an account of the early Peerages by Baronial Tenure, and of Peerages by Writ. With respect to the fact of some of the peerages granted by Richard having been life-peerages, see *ibid.*, and the debates in the House of Lords on the Wensleydale peerage in Hansard, vol. cxi.

† See Lord Campbell's Lives of the Chancellors, vol. i. pp. 299, 308, respecting Bishop Stratford and his Process; and see Lord Campbell's introductory chapters. See also Mr. Hallam's supplementary note x. to chapter viii. part iii. of his Middle Ages.

CHAPTER VII.

Henry of Lancaster claims the Crown—Questions as to the lawful course that should have been taken—Commencement of the reigns of the Lancastrian line of Princes—General character of our history from this period to the close of the wars between the Houses of Lancaster and York—Greater harmony between Crown and Parliament—Increase of power of Parliament—Hostility of Commons against the Church—Persecutions of the Lollards—Disturbed reign of Henry IV.—Rebellions in England; insurrections in Wales—Henry's Crusading projects—His death.

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Henry claims the throne of England, Sept. 30, 1399.

WHEN the sentence deposing Richard of Bordeaux was read in Westminster Hall, his cousin, Henry, Duke of Lancaster, rose from the seat which he had been occupying as chief of the nobles of England, and having first crossed himself with great solemnity, he advanced towards the throne, and pronounced these words:—

Words of his claim.

"In the name of the Father, Son, and Holy Ghost, I, Henry of Lancaster, claim this realm of England and the Crown, with all the members and appurtenances thereof, inasmuch as I am descended by right line of blood coming from the good Lord King Henry III., and through that right which God of his grace has sent me with help of my kin and of my friends to recover it; the which realm was in point to be ruined through default of governance, and through the overthrowing of its good laws."

Its intentional vagueness, and many-headedness.

This claim was purposely vague in its reasons, though specific enough in its object. An open claim by right of conquest would have given offence. A

claim founded broadly and avowedly on the ground that it was for the public good to have Henry for King instead of Richard, might have been sufficient at the time ; but a Crown gained for such reasons would have been in constant peril of being taken away again by any stronghanded competitor, who might allege that the public good required a further change of the chief magistrate. Henry, therefore, insinuated rather than averred both these reasons for his claim ; and he added to them a still more vague title by descent, which he worded, as if anxious to avail himself of a vulgar legend, that his maternal great-great-grandfather, Edmund of Lancaster, Edward I.'s younger brother, was really the eldest son of Henry III., but had on account of personal deformity been excluded from the succession. But Henry had an army ready to support his claims, even if they had been ten times more vague and preposterous ; he was strong also in the partizanship of the chief nobles, and the goodwill of the nation. His claim was heard with applause by the Estates assembled in convention, and by the multitudes that thronged Westminster Hall and its approaches. The two Archbishops placed him on the throne, whence he addressed the assembly as their King.

Henry's power his most effective claim.

His popularity.

The Estates of the Realm choose him for King.

He is enthroned as Henry IV.

Henry IV. (surnamed among his contemporaries Henry of Bolingbroke, and often called by the dramatists and other writers of a later age, "Bolingbroke" only, from Bolingbroke in Lincolnshire, where he was born in 1366), was in the prime of early manhood when he ascended the throne of England. His high birth, his personal accomplishments, and his renown for knightly prowess, had long won for him the favour of the people, which had naturally been increased by the injustice and oppression practised on him by the late King in arbitrarily banishing

His previous career and character.

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him from the realm, and in despoiling him of his patrimony. In moral qualities Henry was as deficient, as he was eminent in physical and intellectual endowments. He had during the last reign leagued himself first with Gloucester against the King, and then with the King against Gloucester; and, however amply Richard's subsequent tyranny may have justified him in returning from banishment, and in heading the national movement by which Richard was deposed, he used perjury and perfidy as instruments to gain his ends, with an alacrity and a profusion, which threw a slur over his motives throughout the whole enterprise. Selfish, crafty, unrelenting, he was little capable of acting as the nation's disinterested deliverer from misrule, and of giving his country the benefit of his great abilities and energies as her Protector, while guarding also the royal rights of the true heir, who, after the dethronement of Richard II., ought to have become King Edmund.

Defective moral character.

His falsity.

Dismissing the absurd fable about Henry of Bolingbroke's right of descent from Henry III., and about Edward I., Edward II., Edward III., and the late King having been all usurpers, we find on tracing up to Edward III. (Richard when dethroned having been childless) that there were living in 1399 lineal and lawful descendants of Lionel, the third son of Edward III., whereas Henry of Bolingbroke was descended from that King's fourth son, John of Gaunt. Lionel's only child had been a daughter, named Philippa, who had married Edmund Mortimer, Earl of March. Their son, Roger Mortimer, Earl of March and Ulster, had been recognised by Richard II. as his heir presumptive, and had been solemnly declared to be so by the English Parliament in 1385. He was killed in action in Ireland in the year before Richard's dethronement; but he left

His pedigree as to the Crown.

The deposed Richard should have been succeeded by King Edmund.

issue, a son named Edmund, and two daughters, one of whom, Anne Mortimer, married the son of Edward of Langley, Edward III.'s fifth son and Duke of York.

In 1399 young Edmund Mortimer was scarcely nine years old; and the perils to the country of a long royal minority formed the only valid reason for excluding him from the throne. But these supposed perils could not possibly have equalled the actual horrors of the Civil War between the Houses of York and Lancaster, which resulted from the wrong done in 1399 to the House of March, through which House the House of York afterwards claimed the throne. This was not a case, such as occurred three centuries afterwards on the dethronement of James II., when the young heir to the throne, who stood next in right of lineage, was beyond seas, in the custody of the deposed King himself, and sure to be brought up in bitter hatred of the constitutional principles and of the religious creed of the great majority of his countrymen. Young Edmund Mortimer was in England; he could have received, under the care of Henry of Bolingbroke himself, the fitting education of an English Prince and an English Sovereign; and, on coming to a fit age to govern, he would have had no ancestral wrongs to avenge, no hereditary animosities to gratify. But for Henry of Bolingbroke to forego the crown that was within his grasp, and to place it on the rightful owner's head; for him to have been content with a subject's station and the consciousness of having saved his country, would have required an amount of magnanimity, and of generous truthful devotion to duty, which was wholly foreign to his character, and to the character of his age in general. That age must chronologically be considered one of the ages of chivalry; but I know of few periods, when meanness, selfishness, perfidy, and cruelty, among men

Perils of a long minority in case of King Edmund, not equal to the horrors of civil war, which were the actual consequences of setting up King Henry.

Case not like that of James II.'s infant son, in 1688.

Henry in selfishness and perfidy a type of the character of his age.

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in highest stations, were more rife and rancorous, than in the last decade of the fourteenth and in the first decade of the fifteenth centuries.

England under the Houses of Lancaster and York.

General character of our history during this period.

Foreign and civil wars.

Importance of political and constitutional history.

Growth of power of Parliament.

Progress made by the Crown in obtaining influence over Parliament, and in depopularizing the popular branch of the Legislature.

We now begin the History of England under the Houses of Lancaster and York.* It is a portion of our history of about a century in duration, teeming with civil strife ; and it is signalised by an episode of foreign war, most unjust in motive, most unwise in purpose, but brilliant almost beyond parallel in the splendour of its early successes, followed by reverses even more humiliating than those, which darkened the close of the reign of Edward III. There is much to study in the internal and political history of this time, as to the steady growth of the power of Parliament, and also the apparently systematic attempts made during one of the Lancastrian reigns to make the House of Commons more subject to the influence of the Crown, and to narrow materially the exercise of the electoral franchise.

Henry issues writs of summons to a Parliament.

Legal fiction.

Such legal fictions not unmeaning.

When the Convention of Estates had (on Sept. 30, 1399) accepted and declared Henry of Bolingbroke as King of England, he forthwith issued writs for a Parliament to assemble in six days. To hold the election within that time was, of course, impracticable ; nor was it intended that any election should take place. The same members, that had attended in the Convention of Estates under King Richard's writs, now attended as members of Parliament under King Henry's writs. The use of such a self-evidently mendacious formality may cause the modern reader to smile, but it attests the extreme anxiety of the new Government to

* The words used by Tacitus at the commencement of his Histories are remarkably applicable to this part of English history. "Opus aggredior opimum casibus, atrox prœliis, discors seditionibus, ipsâ etiam pace sævum. Quatuor Principes ferro interempti. Tria bella civilia, plura externa."

1399.

keep up the semblance of constitutional regularity, and to avoid any appearance of arbitrary rule by right of conquest. The new Parliament forthwith set aside nearly all the proceedings of Richard's last Parliament, and restored, as valid, those of Gloucester's Parliament in 1386. The dissensions of some of the leading nobles in the House of Peers were so violent as almost to lead to personal conflict; and in a very short time a formidable conspiracy against the new King warned him by how precarious a tenure he held his sovereignty. He detected and put down the insurrection with his usual ability and promptitude. The Earls of Kent and Huntingdon (King Richard's half-brothers), the Earl of Salisbury, the Lords Despencer and Lumley, who had been among the chief conspirators, were put to death by the people of the places whither they had fled; and a greater victim soon perished. The known intent of the conspirators had been to restore King Richard, who had since his dethronement been kept, by the advice of Parliament, in close custody, and had been from time to time removed from one strong castle to another.

Acts of Richard's last Parliament reversed.

Discord among the nobles.

Conspiracy against Henry.

Quelled.

Fatal to the late King Richard.

The last place, that Richard of Bordeaux entered alive, was Pontefract Castle. That was before the discovery of the conspiracy of Huntingdon and his confederates against Henry. The 3rd of January was the day on which that conspiracy was to have been carried into effect, by the murder of Henry. On the 14th of February it was announced that Richard, late King of England, had died at Pontefract. The fact of his death there is certain; though (as is common in similar cases) reports were afterwards circulated of his having escaped; and an impostor in Scotland, who personated him, received some notice and encouragement from Henry's enemies. The manner of Richard's death at

Richard dies at Pontefract.

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1400.

Pontefract was a mystery, respecting which many rumours gained partial credence. One, which has been immortalised by Shakespeare, represented him as killed by Sir Piers Exton, a zealous partizan of King Henry; another account, to which the lyric genius of another of our poets has given almost equal celebrity, told of the royal captive's death by starvation. The body was brought to London, and exposed to public view; but in such a manner, with the face uncovered only from the lower part of the forehead to the throat, that no evidence of the mode of death was given by the exhibition. The body was buried at Langley, by Henry IV.'s order; but afterwards Henry V., who when a child had been treated by Richard with personal kindness, removed it to Westminster Abbey, where it was deposited with royal honours.

Henry's relations with foreign powers. France and Scotland refuse to recognise him.

In his relations with foreign powers Henry IV. found as little prospect of tranquillity as at home. The Kings of France and Scotland refused to recognise him, and professed to consider the truces between them and England as terminated by Richard's death. Henry warded off a threatened invasion on the part of the French, by restoring Isabella, the youthful widow of Richard, to her father, King Charles VI., and by giving back also some of the jewels which had formed part of her dowry. Soon after this the feud between the Dukes of Orleans and Burgundy began to disconcert the French councils; and no open declaration of war was made on the part of the French during Henry's reign, though the remains of the English possessions in Guienne were more than once assailed by French commanders; and at sea the mariners of the two nations continued to capture each other's vessels, and to attack each other's villages and towns along the coasts of the Channel.

Wretched state of France.

No declared war by France against England, but incessant hostilities at sea, and along the coast.

1401.

Henry invaded Scotland and burnt Edinburgh in 1401; and when in the following year the Scots attempted to retaliate by invading England, their army, under the Earl of Douglas, was entirely defeated by the English forces under Henry Percy (surnamed Hotspur) at Homildon Hill. A few years afterwards, King Henry obtained an opportunity (of which he unscrupulously availed himself) of warding off all danger from the side of Scotland, more effectually than by military successes. The feeble and aged King of Scotland had seen, with deep affliction and terror, the death of his eldest son, Prince David, through the machinations of the Duke of Albany, who was aiming at the Scottish crown. King Robert had one son left, Prince James, and to secure the royal child from Albany's attacks, he caused him to be secretly placed on board a ship at Leith, which was to convey him to France, to be sheltered and educated at the friendly court of that country. But the vessel was captured by an English cruiser, and the young prince was carried prisoner to London. The tidings of this second bereavement broke old King Robert's heart, and the Duke of Albany became Regent of Scotland. So long as Henry IV. detained young King James in England, Albany was sure of exercising really sovereign power in Scotland. And, on the other hand, so long as Albany's regency was secured by James' detention, the English King was not troubled with serious warfare on his northern frontier. Young King James was not released until after nineteen years of captivity, during which he had the benefit of honourable treatment and an excellent education; but those advantages, given under such circumstances, could not atone for the mean and unjust policy by which he was kept so long an exile from his native dominions.

Henry invades Scotland, 1401.

Hotspur's victory over the Scotch at Homildon, Sept. 14, 1402.

Prince James of Scotland falls into Henry's power, and is detained for many years in England.

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1401.

Hostilities on the side of Wales.

The hostilities which Henry IV. had to sustain on the part of Wales were more continuous and harassing. The English rule had never been cheerfully submitted to by the Welsh population, who still cherished the recollection of their old independence, and the legends of their old glory. A descendant of their ancient kings, Owen Glendower, now appeared among them as their chief and champion against the English conquerors, and nearly succeeded in acquiring the throne of Wales, which he claimed to inherit. Glendower was no mere fanatical enthusiast, or daring and crafty savage; but he was a highly educated and accomplished politician and captain; and he was in all respects one of the most remarkable men of his age. He had in youth studied at the English Inns of Court, and acquired the rank of barrister; and he had afterwards received the honour of knighthood, and had held appointments in the Court of Richard II. He had accompanied that King on his last expedition to Ireland: and on his return he had been a witness of the treachery by which Henry of Bolingbroke's partizans induced Richard to place himself in their power. Sir Owen Glendower then retired to his patrimonial territories in Wales. He found there that an English nobleman, Lord Grey, who had possessions in the neighbourhood, had forcibly seized upon some land, as to which there had previously been a dispute between them, but which had been adjudged to be Glendower's property by a solemn judgment in King Richard's time. Glendower petitioned the English Parliament for redress, but his suit was rejected; and Lord Grey, who represented Glendower to be a partizan of Richard and disloyal to the new dynasty, obtained grants from the Crown of other parts of the Welsh chieftain's estates. Glendower forcibly and suc-

Rise and character of Sir Owen, afterwards Prince Owen Glendower.

Glendower's training at the English bar, and in King Richard's Court.

He is that King's companion on his last voyage to Ireland and return.

Glendower retires to his home in Wales.

His lands unjustly seized by the English, and justice denied to him.

1401-5.

cessfully resisted the attempts made to despoil him of his heritage, and being thus committed to a position of open hostility to the King of England, he called on his countrymen to rise and re-assert their freedom, and proclaimed his own right to be their King, as lineal descendant of Llewellyn, the last native sovereign of Wales. Glendower showed marvellous skill and power in availing himself of the poetic legends and prophecies, that were current among the imaginative population whom he addressed; and he encouraged the belief, which soon spread among friends and foes, that he himself was gifted with superhuman powers, such as had formerly been wielded by the renowned magician of Welsh mythical history and poetry, Merlin.

Glendower takes up arms. 1401.

His countrymen rally round him.

He claims the sovereignty of Wales.

In the field Glendower was judicious as well as daring, and he availed himself to the utmost of the advantages, which a wild and mountainous country gives to its defenders against invading armies. King Henry IV. three times led the English forces against Glendower in person, and was each time obliged to retire from Wales, with little honour and much loss. Glendower gained also many advantages over other English commanders; but during his chequered career he experienced several defeats, two of which were given him, in 1405, by young Prince Henry, afterwards Henry V., who in the difficult and obstinate warfare against the Welsh acquired the military experience and generalship, of which France afterwards received such terrible proofs. Still Glendower maintained the struggle. He was recognised by the French as their ally, and as sovereign of Wales; and certainly that country down to the close of Glendower's life was far more truly the independent principality of Prince Owen, than part of the dominion of King Henry.

He thrice repels King Henry. 1401. 1402. 1405.

He is defeated by Prince Henry.

Glendower maintains the struggle with varying success till his death.

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1403. English insurrections against Henry IV.

Revolt of the Earl of Northumberland.

1403. Douglas joins Hotspur, and they march to form a junction with Glendower.

But Henry IV. found among the English, who had consented for a time to be his subjects, far more formidable enemies than his Welsh, his French, or his Scottish foes. The powerful house of Northumberland, which had been mainly instrumental in raising him to the throne, soon became discontented with their new ruler, and disaffection grew into open war. The Earl of Northumberland's son, Henry Percy, surnamed Hotspur, the victor of Homildon, led the English insurgents, who were strengthened by a Scottish force under Douglas, whom Percy had defeated and captured at Homildon, but whose friendship he had won by setting him at liberty without ransom. Percy and Douglas marched towards Wales in order to form a junction with Glendower, with whom the Earl of Northumberland had made alliance, and who was to co-operate in the dethronement of Henry IV. The English King acted in this emergency with vigour worthy of his military fame. Collecting rapidly a small but well-appointed army, he crossed Percy's line of march at Shrewsbury, and brought on an action, before the Northumbrians and Scotch could be joined by the Welsh. The battle that followed was obstinately contested. The two armies were well-matched: not large in numbers, but composed of excellent materials, and officered by noblemen of the highest chivalric courage, and of proved martial ability. The result was decisively in favour of King Henry. Percy was killed, and the other chief leaders of the insurgents were taken prisoners. Young Prince Henry, then aged only 17, fought his first fight at Shrewsbury, and was wounded in the face by an arrow. Both he and King Henry signalised themselves by the personal prowess, which in those days was expected of generals, at least as much as strategical skill.

Henry IV. encounters Hotspur and Douglas, at Shrewsbury, July 23, 1403.

Death of Hotspur.

Complete victory of King Henry.

1405-13. Another rebellion in 1405. Put down by fraud.

In 1405, the Archbishop of York, the Earl of Northumberland, the Earl of Nottingham, and other powerful nobles, formed a third confederacy against King Henry. The Royalist commander, the Earl of Westmoreland, got the Archbishop and the Earl of Nottingham into his power by a gross piece of treachery. They were both beheaded; and others implicated in the rebellion were severely punished. The Earl of Northumberland escaped to Scotland, but returned to England in 1408, and again collected an insurrectionary force in the northern counties. But the Sheriff of Yorkshire raised troops on the King's side, and engaged the rebels at Bramham Moor. Northumberland was totally defeated. He was himself killed on the field; and there was no more open rebellion in England during the short remnant of Henry IV.'s reign. But that reign continued to be a wretched and uneasy one to the King himself. He had long lost the popularity which he had enjoyed when he first obtained the throne. He knew himself to be the object of disfavour and hatred with many, and he himself doubted the loyalty of nearly all. His suspicions extended even to his gallant son, the Prince of Wales, who, as he thought, was too eager to become King. Severe bodily illness was added to Henry IV.'s mental suffering, and he died, utterly worn out, at the early age of forty-seven. He said on his death-bed that it had been his fixed purpose to lead an army to the Holy Land. There is no reason to question the sincerity of this speech. Henry of Bolingbroke's early renown in arms had been won by him as a Crusader against the Pagan King of Lithuania. According to Froissart, he had also in his youth travelled in Palestine and Egypt. While he was King of England, the Greek Emperor, John Palæologus, had visited London to im-

The leaders of the rebellion, Archbishop Scrope and the Earl of Nottingham, are beheaded as traitors.

Another rising in the North, under the Earl of Northumberland, 1408. The Earl defeated and killed at Bramham Moor.

Uneasiness of Henry's reign.

He dies at Westminster, March 20, 1413.

His crusading projects.

His early fame as a crusader.

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plore the English to join with the other nations of Western Christendom in a crusade against the Ottoman Turks, who had by the commencement of the fifteenth century conquered the greater part of the Greek Empire in Europe, and were menacing Constantinople itself; although at the time of Henry's death the temporary overthrow of the Ottoman power by Timour had relieved Eastern Christendom from immediate peril.

Domestic government of Henry IV. His deference to his Parliament.

Henry IV., in his domestic administration, was sedulously anxious to conciliate and retain the favour of the two powerful bodies, which had so materially aided his advancement to the throne—Parliament and the Clergy. There were no complaints in his time of the subjects' money being extorted by the Crown without Parliamentary assent. The right of the Commons to direct the appropriation of supplies, and to require an account of State disbursements, was fully recognised and practised. The King repeatedly and expressly admitted the right of Parliament to interfere with his choice of ministers; and on one occasion, when the Commons had addressed him, praying the removal of certain persons from the royal household, Henry not only dismissed his officials as requested, but went on to assure the Commons that he would do as much with any other about his royal person, whom he should find to have incurred the hatred of his people. He also desired the Commons to use no reserve in pointing out to him any measure which they thought would be acceptable in the sight of God and useful and honourable for the King and the realm, and he promised them that he would willingly carry out such measures according to their good counsel and advice.

Henry's firm alli-

Archbishop Arundel had done more than any other

man in promoting the deposition of Richard, and the coronation of Henry of Bolingbroke in Richard's stead. He and the great majority of the English clergy continued steadfast in support of Henry's royalty, even against the few, but eminent, members of their own order, who joined in the insurrections against the House of Lancaster.* Henry appreciated well the support, which an alliance with the crozier gave to a sceptre so infirm as that which he newly wielded. In the preamble to part of a Statute passed by him early in his reign he openly proclaimed that he bore in remembrance the faithful hearts and the great affection, which the clergy of England had shown towards him, and also the great charges, which the same clergy had sustained for his honour and profit after the time of his coronation, and that he was therefore willing to show himself a gracious lord to them in their affairs.

ance with his higher clergy.

Claims of Archbishop Arundel on him.

Henry's statutory declaration of his gratitude to the clergy, and of his intention to support their interests.

Part of the recompense, which the clergy required of Henry for their valued assistance, was the co-operation of the State with the Church in endeavouring to extirpate the Lollards, under which term were comprised the followers of Wyclif, and also many more enemies of the Papacy and of the Roman Catholic Hierarchy, who held and were ready to practise doctrines far more fanatical and violent, than any that Wyclif had ever taught or sanctioned.

The clergy require a statute for the burning of heretics.

Whatever may have been the exact sense of the term "Lollard" when first introduced, it certainly was soon used generally as meaning a noxious heretic, one of the weeds (Lolia) which infest the Lord's vineyard, and one of the tares, which the Evil One has sown among

Meaning of term "Lollard."

* Richard Scrope, Archbishop of York, was one of the chiefs of the rising in 1405. He was beheaded for treason without any remonstrance from the Church.

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the wheat in the Lord's field.* The word was applied by the supporters of existing ecclesiastical institutions, by those who deemed themselves the orthodox adherents of the ancient faith, to every one, who was an innovator, and who was supposed therefore to be a heretic, as to creed, as to ritual, as to the orders in the Church, or as to the authority and endowments of the clergy.

Variety of sects to which it was applied.

It has been observed in former chapters that Wyclif in his lifetime was far from being the only preacher and writer against the Pope, and the Friars, and the Prelates, and the established doctrines of the Church. After his death the variety of opinions among those whom their adversaries classed under the common term of "Lollards," must have increased greatly; and it is probable that those who went the farthest, were also the loudest and the most notorious.† The attempts made by Archbishop Courtenay to repress this spring-tide of innovation, though in some instances successful, must in many more cases have provoked a still fiercer and more fanatical spirit. In 1395 a large number of Lollards presented a petition to the Houses of Parliament against the clergy, in which they stated that, "The Church of England, when she followed the example of her great step-mother, the Church of Rome, grew mad with temporal wealth, and was abandoned by Faith,

Increased violence of the Lollards.

They petition Parliament praying for the abolition of the Church establishment, of all trades and

* See, for example, the title given to his book by the great opponent of the Wyclifites, Thomas Netter of Walden. He calls it "Bundles of the tares of John Wyclif, with wheat." "Fasciculi Zizaniorum magistri Johannis Wyclif, cum tritico." See, too, the rhyming Latin poem written "evidently soon after the insurrection" of the peasants, given in Mr. Wright's collection, p. 231. He says in the fourth stanza,

Lollardi sunt zizania,
Spinæ, vepres, ac lolia,
Quæ vastant hortum vineæ.

† See in note to p. 333, *supra*, a short list of the doctrines which we have reason to believe were common to *all* the Lollards.

Hope, and Charity. That the combination of spiritual and temporal authority in one person is pernicious and unnatural. The Priesthood of the English clergy is no true Priesthood, having been conveyed by men in mortal sin. Transubstantiation is false and idolatrous; so are Pilgrimages, and the worship of images, reliques, and the cross. Auricular confession, indulgences, and conventual vows are unscriptural and pernicious. It is directly against the New Testament to slay men in war; or to put them to death by pretended course of justice for a temporal offence, without a spiritual revelation that it is to be done."*

crafts, not needed for the supply of simple food and raiment,—against war, and against capital punishment.

The Lollard petitioners finally declare that a multitude of arts and handicrafts were practised in the realm, which were not needed for a life of apostolical poverty; and that all such arts and crafts, those, for example, of goldsmiths, armourers, and others not absolutely necessary for the supply of mankind with food and raiment, ought to be abolished.†

Violent Lollard placards.

Placards of the same nature were fixed on the doors of St. Paul's Cathedral, and of St. Peter's at Westminster, and in other conspicuous places in and near the metropolis.

Popular Lollard poem, describing a defeat and slaughter of the prelatical party.

There is also extant a popular poem, in English, composed about this period, in which not only are the prelates and friars bitterly satirized, and their crosscharges against the Lollards confuted, but the "stirring of a sterne strife" is sung; and under the thin allegory of a conflict of birds, the poet describes how the Prelatical party first oppressed the Lollards, but how the Lollards returned to the conflict with an

* Homicidium per bellum vel pretensum legem justitiæ pro temporali causâ sine spirituali revelatione est expresse contrarium Novo Testamento.

† The petition is given at length in 3 Wilkins, Concil. p. 220. It is shortly mentioned by Walsingham.

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auxiliary phœnix, and routed their opponents, "doing vengeance and no grace," slaying them all, till they disappeared from the earth.*

It is reasonable to suppose that the political poetry of that age which has come down to us, is only a fragment of what was once in existence; and that other poems and ballads, of the same spirit, as is shown in this surviving poem, were then circulated among the people.

These exhibitions of anarchical violence on the part of the Lollards may in part account for the acquiescence of the Commons in the terrible legislation against the Lollards, which the clergy obtained early in Henry IV.'s reign. They certainly account in a great degree for the earnestness, with which the chiefs of the clergy sought that legislation, and for the rigour with which they enforced it.

Archbishop Arundel the chief persecutor of the Lollards.

Archbishop Arundel was the great leader of the persecution of the Lollards, and the main author of the Statute for the burning of Heretics. As such, he has in modern times been naturally regarded with detestation. But however much we may sympathise with those, who suffered under Arundel, however much and however rightly we may admire those martyrs to the cause of what they and most of us believed and

Tolerant spirit in which the persecutors of that age should be judged.

* See in Mr. Wright's collection of Political Songs, &c., Rolls edition, vol. i. p. 304, the poem entitled "The Complaint of the Ploughman," and especially the concluding stanzas at pp. 344, 345. As Mr. Wright observes (Introduction, lxxviii.), since the publication of Langland's poem of the Vision of Piers Ploughman (see p. 351, *supra*), the Ploughman had been adopted in popular literature as the representative of political and religious purity. The writer of the Ploughman's complaint makes a feigned attempt in his two last stanzas to disavow all recommendations to violence, and to lay the blame of such things on his imaginary bird. Such postscripts to a stirring description of successful insurrection neither have nor are intended to have much restraining efficacy.

This poem shows how early the title of Lollards, or Lollers, was adopted by the sectaries themselves. See the second stanza, page 305.

believe to be truth, we must, in justice, pause a little before we join in the unmeasured obloquy, which for the last three centuries has been heaped upon the memories of the Archbishop and his coadjutors. We must consider whether Arundel may not have honestly (even if mistakenly) believed, that it was he who was acting in the cause of truth; and whether he may not have honestly (though mistakenly) also believed that the extirpation of heresy by the fire and faggot was the most effectual means of serving the cause of truth. We must judge a churchman of the olden time by the same rule that we apply to the acts of an ancient statesman. In order to see rightly whether or not he is morally blameable, we must regard his conduct by the light which he possessed, and not by the fresh light which the experience of after-ages has supplied.

Universal belief in those ages that heresy is a crime.

Almost universal belief that heresy ought to be punished with the utmost rigour, as the worst of all crimes.

Throughout Christendom heresy had for many centuries been regarded not as a mere error, but as a crime. Throughout the realms of Christendom, Church and State had for centuries been united; and it was deemed to be their duty to co-operate against crime. Throughout Christendom it was believed that heretics must perish eternally; and the increase of a crime, which destroyed souls, was regarded as far more dreadful, than the increase of crimes, that affected only man's worldly goods, or man's body. It was urged by churchmen upon princes that, if it is the duty of rulers to put to death the criminal who deprives his neighbour of chattels or of earthly life, how much more is it their duty so to punish the criminal, who robs his fellow-creatures of salvation. Very few disputed that argument. We may feel proud that an English prelate of that age, Robert Hallam, Bishop of Salisbury, stood forth in the Council of Constance in 1416 to oppose

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the burning of John Huss; and that our countryman then quoted the maxim, "God willeth not the death of a sinner, but rather that he should be converted and live," as forbidding the punishment of death for heresy.* But Robert Hallam stood alone. He, too, even he, regarded heresy as sinful; and, though he counselled leniency, would hardly have advised toleration. Still less would he or any other man of those ages have acquiesced in theories of full religious liberty.

Belief in those ages that it was practicable to suppress heresy by persecution.

Moreover, the churchmen and statesmen of those times not only believed that the forcible and punitive suppression of heresy was a moral and a religious duty, but they also believed that it was quite practicable. We, in the nineteenth century, know that the effect of persecution is generally to strengthen and to spread the persecuted sect. We know, also, that even where persecution is successful, and where all churches and sects, except one, are stamped out, the one church, which is preserved and fostered by such means, is liable to become corrupt in a far greater degree, than churches, which are exposed to the wholesome though turbulent influences of the rivalry and the moral censorship of co-existent sects. The church, which monopolises State protection, and which employs the brute force of the State against all who do not bow down to it, eventually alienates nearly all the educated and active intellect of the community not merely from the church, but from religion altogether. If the most zealous Romish princes and prelates of the fourteenth, fifteenth, and sixteenth centuries could have foreseen the present condition of the two great European countries, in which the growth of religious reform was really extinguished by persecu-

* Milman's Hist. Lat. Christianity, vol. vi. p. 214.

tion, they would have paused, before they entered on a policy, which, even where it is successful for a time, proves eventually so anti-Christian as well as anti-Catholic.

Arundel may have thought it his duty to extirpate Lollardism; and to obtain additional power for the law for that purpose.

Judging, however, according to the opinions prevalent in their own age, Archbishop Arundel and the other English churchmen of his time may have naturally looked on the growing numbers and audacity of the Lollards with indignation and alarm, and have felt that it was their own duty to encounter them with stronger measures, than had hitherto been employed. In all other Roman Catholic countries, the civil magistrates obeyed unhesitatingly the mandates of the clergy in their condemnations of heresy, and executed promptly their sentences on the heretics, whom the clergy had convicted. In England alone, the sheriffs and other officers of the State would not act on the mere writ or warrant of an ecclesiastical court. We have seen that an unsuccessful attempt had been made by Archbishop Courtenay in 1382 to obtain the assistance of the temporal arm against the Wyclifites, as to arrest and imprisonment; but his successor, Archbishop Arundel, now obtained that co-operation, even to the extent of inflicting sentence of death.*

Policy and zeal of the

The Archbishop and the clergy did all in their

* It cannot be said that the old temporal law of England before the passing of Henry IV.'s statute was altogether ignorant of heresy as a punishable crime. Bracton, an English judge, whose treatise on the Laws of England was written about the close of Henry III.'s reign, speaks of the punishment of hereticks by burning; and it is doubtful whether the writ "de heretico comburendo" was or was not in existence among the common law formulas before Henry IV.'s Act. But it is certain that the old common law for the punishment of heresy by the temporal Courts (whatever it may formerly have been) had completely fallen into desuetude long before the commencement of Henry IV.'s reign. No ecclesiastic could procure the issue of a writ from the King's Courts "de heretico comburendo," or of any other writ founded on a mere ecclesiastical sentence; and no sheriff would have burned or otherwise punished a man on the mere authority of ecclesiastical process.

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power to make the maintenance of institutions under the new dynasty, and the maintenance of the Church against heresy, appear identical. The Earl of Salisbury, one of the leaders of the rising against Henry at the beginning of his reign, had been a well-known holder of Wyclif's doctrines, and it was notorious that the Lollards looked up to him as one of their champions against the prelatical party. He was to be a Phœnix (in the allegorical language of the Lollard poem above referred to), that was to scatter and smite the corrupt and oppressive brood. Archbishop Arundel and the London clergy were ostentatiously and inhumanly loyal in celebrating Henry's triumph over the great Lollard rebel, and in leading the procession, which met and insulted over the lifeless remains of the traitorous heretics. Many of the temporal Peers and many of the Commons must have been alarmed at the anarchical and violent spirit which part at least of the sectaries had been displaying in the petition, and placards and ballads lately mentioned; and it appears to have been with the full consent of his lay Peers, and his knights of the shire and burgesses* that

clergy in connecting Lollardism with treason.

The Earl of Salisbury a Lollard.

Alarm of wealthy laymen at the anarchical doctrines of some of the Lollards.

* According to the statute itself, as drawn up and published in Latin (evidently by a clerical hand), the Commons had joined in the petition, on which the statute was founded. But the entry of the petition on the Parliament Roll does not mention the Commons as among the petitioners for the new law. Hence, it has been supposed by many that the enactment never had the assent of the Three Estates of the realm, but that it was falsely put forward as a regular statute by the clergy, just as they had in the preceding reign interpolated among the statutes of the Parliament held in the fifth year of Richard II. an enactment (5 R. 2, stat. 2, c. 5) for the apprehension of hereticks. That fraud had been indignantly exposed by the Commons in the following year, who required the formal repeal of the spurious enactment. But no such remonstrance or complaint followed the passing of the 2 Hen. 4, c. xv., although it was promptly carried into execution, and human beings were burned publicly under its authority. Nay, the Rolls of Parliament show that the Commons at the end of the session 2 Hen. 4 thanked the King for the legislation of the session for the putting down of heresy.

It is very likely that the ecclesiastics, who drew the statute up, did not

Henry IV., at the instance of the clergy, ordained and established in the Parliament holden at Westminster in the second year of his reign the statute, which is usually cited as the Statute for the Burning of Heretics. It bears in the Statute Book the following solemn title :— "The Orthodoxy of the Faith of the Church of England asserted : and provision made against the oppugners of the same, with the punishment of hereticks."

The Parliament passes the Statute De Heretico Comburendo. 2 Hen. 4, c. 15.

This law empowered the bishops to cause to be arrested, and to imprison all, who presumed to preach either publicly or privately without a bishop's licence. The same punishment was denounced against all schoolmasters and holders of conventicles, who impugned the Catholic faith, or taught sedition ; and against all who wrote, and all who had in their possession any book opposing the Catholic faith or the decisions of Holy Church. Such persons, if convicted in the bishop's court according to canon law, were liable to imprisonment in the bishop's prison at the bishop's discretion, and were moreover liable to pay a fine to the King, such fine to be assessed by the bishop, and levied by the secular court on the bishop's certificate. No person found guilty by the bishop was to be released until he had abjured his heretical opinions. They who refused to abjure, and they, who having once abjured relapsed into heresy, were to be burned to death before the people in a high place ; so that the punishment might terrify others from holding heretical opinions. This

Unlimited power of fine and imprisonment given to the bishops against all heretics, or suspected heretics, all possessors of heretical books, and all unlicensed preachers.

Obstinate and relapsed heretics to be delivered over to the Sheriff to be burned

adhere very scrupulously to the Parliamentary proceedings on which it was founded, and we may be sure that any alteration made by them would be to increase the power given to their order ; but I fear that substantially this sadly celebrated Act for the burning of heretics must be considered to have been made with the concurrence of the Commons and Lords Temporal as well as by the Spiritual Peers and the sovereign. On the subject of the frequent garbling of statutes at this time, and as to this statute in particular, it is well to consult Hallam, Mid. Ages, vol. iii. p. 89, and Lord Brougham's "England and France under the House of Lancaster," p. 363.

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sentence was to be carried into effect by the sheriff, on being certified of the accused parties having been condemned by the bishop, and the bishop's condemnation was to be taken as conclusive of the heretic's guilt.

"Coram populo in eminenti loco comburi faciant, ut hujusmodi punitio metum incutiat mentibus aliorum, ne hujusmodi nephandæ doctrinæ et opiniones hereticæ et erroneæ, vel ipsarum auctores et fautores in dictis regno et dominiis contra fidem Catholicam religionem Christianam, et determinationem ecclesiæ sacrosanctæ (quod absit) sustententur seu quo-modolibet tolerentur."

The terrible powers given by the new law were not suffered long to lie idle. Almost* as soon as it was passed, William Sawtree (who had been a clergyman) was burned in London as a relapsed heretic. The name of another Englishman, who was burnt to death for supposed misbelief during this reign, has been preserved, and the circumstance of the young Prince of Wales, afterwards Henry V., having been present (accidentally, we may hope) at the execution, has caused the scene to be minutely described. John, or Thomas, Badbee, or Bradbie (both name and surname are variously given) was a layman of humble station, who had denied the truth of the Roman Catholic doctrine of Transubstantiation. He refused to retract what he had said; and on the 1st of March, 1409, was delivered over to the secular powers to be burned in Smithfield. He was placed in a barrel, round which dry wood had been heaped up. Holinshed thus relates what followed:—"The King's eldest son, the Lord Henry, Prince of Wales, being present, offered him his pardon, first before the fire was kindled, if he would have recanted his opinions; and after, when the fire was kindled, hearing him make a roaring noise very pitifully, the Prince caused the fire to be plucked back, and exhorted him, being with pitiful pain almost dead, to remember himself, and to renounce his opinions, promising him not only life, but also three pence a day so long as he lived, to be paid out of the King's

John Bradbee burnt March 1, 1409.

Prince Henry present at his death.

* As to the dates of the passing of the Act, and of the burning of Sawtree, see Lingard, vol. iv. p. 449, and Lord Brougham (England under the House of Lancaster), pp. 363, 364.

coffers; but he, having recovered his spirits again, refused the Prince's offer, choosing eftsoons to taste the fire and so to die than to forsake his opinions. Whereupon the Prince commanded that he should be put into the tun again, from thenceforth not to have any favour or pardon at all; and so it was done, and the fire put to him again, and he consumed to ashes."

Other executions.

Other executions for heresy in the next reign and in the early part of that of Henry VI., are mentioned; and it is probable that others occurred, which chroniclers left unnoticed, and respecting which no judicial documents have at present been traced.

Frequent imprisonments for Lollardism.

The arbitrary powers of fine and imprisonment, with which the statute had armed the bishops, were vigorously exercised.

Cessation when the War of the Roses broke out.

When the civil wars between the Houses of York and Lancaster convulsed the kingdom, prosecutions, and imprisonments, and burnings for heresy seem to have abated. They had done little towards quelling Lollardism; but they did much towards making many of its sectaries enemies of the State, as well as of the Church, and in bringing real perils upon the commonwealth.

Commons vainly petition for relaxation of the laws against the Lollards.

Nine years after the passing of the statute against the Lollards, the Commons petitioned for its mitigation.

Henry defends Church property against attempts at confiscation.

But Henry IV. stood firmly by the bishops, and the stern reply was that the law ought to be made more severe. Henry also showed himself the staunch supporter of his clergy against the formidable hostility, with which not only the Lollardising portion of the laity, but men also who were submissive to the spiritual authority of the Church, regarded the enormous temporal wealth of the high ecclesiastical dignitaries. In 1404 the Commons complained to the King of the slight extent to which the clergy contributed to defray the public burdens of the State, and in 1407 they laid

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before him a schedule drawn with ominously practical minuteness, which showed how the possessions of the bishops, abbots, and priors, which were wasted so far as regarded the State while left in ecclesiastical hands, might, if appropriated for public purposes, maintain for the King's service 15 earls, 1500 knights, and 6200 esquires. The King forbade them to discuss such matters; but the project was not forgotten either by the clergy, or the Commons; and the expectation of its renewal conduced in no slight degree to determine the character of the military reign of Henry IV.'s successor.

CHAPTER VIII.

Popularity of Henry V.—His character in early youth—Troubles at the opening of his reign—Insurrectionary schemes, real or supposed, of the Lollards—Energy of Henry—The Clergy alarmed for their property—War with France resolved on—Miserable state of that country—Injustice of the war—Henry's preparations—Siege and conquest of Harfleur—Victory at Agincourt—Joy of the English nation—The Emperor Sigismund in England—Council of Constance—Negociations with the French—Second invasion of France—Capture of Caen, Cherbourg, and Rouen—Duke of Burgundy joins Henry—Treaty of Troyes—French Dauphin continues the war—Henry takes Melun and Montereau—Duke of Clarence defeated by the French and Scots at Beaugé—Powerful army led by Henry into France—His sickness and death—Internal history during his reign.

1413.

Henry V. the most popular of sovereigns of England.

Henry V. has probably been the most popular sovereign—since, at least, the Saxon times—that ever reigned in England. The moderate duration of his reign may have conduced to this. He reigned for not quite ten years;—long enough for dazzling glory, but not long enough to expose him to such vicissitudes of fortune, as his great model, Edward III., experienced. The years of Henry's reign were also those of the best bloom and prime of his life. He came to the throne when he was between twenty-four and twenty-five: he died soon after his thirty-fourth birthday.

His birth. 1388.

Education at Queen's College, Oxford.

He was styled Henry of Monmouth, from the town of that name, where he was born on the 9th of August, 1388. He received part of his education at Queen's College, Oxford, under the care of his uncle, Henry Beaufort, well known in English history as Cardinal

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His literary acquirements.

Beaufort, Bishop of Winchester. Henry acquired early an amount, considerable for the period, of acquaintance with such classical authors as were then studied ; and he showed, both in youth and throughout life, a taste for literature and for music, quite inconsistent with the coarse and habitual debauchery, in which some traditions represent him to have been sunk during his early years.

Exaggerated traditions as to his profligacy in early life.

The exaggeration in these accounts of his youthful follies is still more completely exposed by the indisputable evidence, which exists, of his having not only served in four campaigns under his father, and distinguished himself for his gallant spirit in the field while he was a mere lad, but by his having been repeatedly entrusted with high and difficult commands from the age of sixteen till near the time of his accession to the throne. When only sixteen years old, he received the arduous office of Lieutenant of the King's forces in the Welsh Marches ; and he carried on the warfare against Glendower not only with courage, but with prudence, industry, and success. His services were so highly valued by the Commons that, in 1405, they addressed the King, praying that the Prince might be continued in command in those districts, and that he should receive a special letter of thanks for his good and unceasing labour and diligence. In 1407 the Commons again praised him, and resolved that he was deserving of public gratitude for the "great labour, diligence, and diseases," which he had many times suffered in resisting the Welsh rebels. In 1410 he was appointed Lord Warden of the Cinque Ports and Captain of Calais ; and afterwards he was for a time President of the Council, a post from which he was removed by his father in 1412. That there was some estrangement between him and his father towards the close of Henry IV.'s reign, is certain ; but this appears to have

Important State duties performed by him.

His command in Wales.

The Prince is publicly praised and thanked, not merely for valour, but for industry and diligence.

been caused, not by the Prince's dissipation and neglect of public business, but by the Prince having desired to grasp too large a share of governing power while his father yet lived, and having demanded that he should be made Regent of the realm, on the ground that his father was incapacitated by disease for performing the duties of royalty.

Commotions at the beginning of his reign.

His reign, though destined to become most popular, was marked at its commencement by commotions, which would probably have assumed a more formidable character, had it not been for the military promptness and vigour, with which they were quelled by the young Sovereign.

The King distrusted by the Lollards.

Henry V. appears to have been regarded at the time of his accession with distrust and dislike by the Lollards. These sectaries were at this period exasperated by persecution, and they were especially turbulent and numerous in the metropolis and its vicinity.

Sir John Oldcastle, the Lollard Chief.

Their leader,—or, at least, their most distinguished chief,—was Sir John Oldcastle, a knight of high eminence for his services in war against the foreign enemies of England, and of great influence by reason of the wealth and rank, which he had acquired by a marriage with the heiress of the Cobham barony and estates. He had been summoned as Lord Cobham to five Parliaments; but he is so much more generally known as Sir John Oldcastle, that it is convenient to speak of him by that name.

Henry V.'s first Parliament.

Henry V.'s first Parliament met at Westminster in the third week after Easter, 1413; and, while the Parliament was sitting, the doors of the London churches were placarded with threatening notices, that 100,000 armed men were ready to rise in defence of their religious opinions, if the King should use his authority to suppress them.

Insurrectionary placards of the Lollards.

We may safely assume that there was no evidence of Sir John Oldcastle

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having directed, or having been party to, this menacing manifesto; for, if such evidence had existed, some notice of it would certainly appear in the records of the judicial proceedings which were subsequently taken against him. But, rightly or wrongly, Oldcastle was suspected of being the arch-enemy of both Church and State; and the Archbishop of Canterbury denounced him to the King as a heretic and a traitor. Henry had at one time, while Prince of Wales, lived on terms of friendship and even intimacy with Sir John; and this circumstance, together with the fact that Oldcastle, before his conversion by the Wyclifites, had indulged in the jovialities and excesses of a bold but somewhat reckless military life, appears to form the only real foundation for the stage-tradition, prevalent before Shakespeare's time, but taken up by him and immortalised, which transforms a gallant soldier and a high-souled martyr into an unprincipled sensualist of questionable courage, and of unquestionable mendacity and knavery.* Henry sent for Oldcastle, and endeavoured to persuade him to submit himself to the Holy Church. Sir John professed the most uncompromising loyalty to the King as his temporal master; but refused to acknowledge the spiritual authority of

Archbishop Arundel accuses Oldcastle.

The King and he had been old familiar friends.

Henry tries vainly to convert Oldcastle into conformity.

* In the old play called "The Famous Victories of Henry V.," the first scenes are meant to show the frolics of the young Prince and his dissolute companions before Henry IV.'s death. Among the Prince's low companions one is called "Sir John Oldcastle." Shakespeare replaced him by Sir John Falstaff; but he seems to have been at first disposed to have retained the former name, as in the first scene in which he introduces the Prince and Falstaff, he makes the Prince call him "my old lad of the castle." It seems certain that the theatrical public of Elizabeth's age identified Oldcastle with Falstaff, and that Shakespeare wished ultimately to deny the connexion, as he makes the Dancer who speaks the Epilogue to the last part of King Henry IV. tell the audience "for anything I know, Falstaff shall die of a sweat, for Oldcastle died a martyr, and this is not the man."

The whole subject is well stated by Mr. Knight in his Introductory Remarks on King Henry IV., parts 1 and 2.

the Pope, whom he openly denounced as the Antichrist, and the adversary of God. Dismissed from the royal presence, Oldcastle shut himself up in his strong castle of Cowling, which the officers of the spiritual courts feared to enter, until they were escorted by one of the King's officers. Oldcastle was then summoned and arraigned as a heretic before the Archbishop, and other high dignitaries. His demeanour was fearless; his language was bold, even to ferocity, anathematising the Pope, cardinals, bishops, priests, monks, and friars. He was condemned as a heretic, and committed to the Tower, thence to be led forth to suffer death under the statute of the last reign. But he effected his escape from prison; and for nearly two years evaded the keen and unrelenting pursuit of his enemies. During the winter, that followed Oldcastle's trial and evasion, the rumours about the preparations of the Lollards for armed resistance grew into rumours of aggressive insurrection and of civil war for the overthrow of the King's government, as well as of the Church. Oldcastle's name was in all men's mouths, in connection with those revolutionary rumours.

Oldcastle tried and convicted before the Spiritual Court.

He is condemned to death, Sept. 23, 1413.

Escapes from the Tower.

Alarming rumours of the designs of the Lollards.

The King had left Westminster at Christmas, to pass that festal season at the favourite royal palace at Eltham. While there, he received information, false or true, of an extensive conspiracy to seize him by surprise at Eltham; and by mustering the armed forces of the Lollards from all parts of the kingdom in St. Giles' Fields, on the day after Epiphany, to take possession of the Government, to put to death the King, his brothers, and the chief temporal and spiritual peers, to confiscate the church-property, abolish the religious orders, to divide the realm into petty states, and to make Sir John Oldcastle Regent of the confederate Commonwealth. Such were the designs which

Henry threatened at Eltham.

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the King attributed to his enemies in a proclamation issued by him; and the character of Henry V. is so clear from falsehood, malignity, or cowardice, that we must believe that the King received and credited information to this effect. How far his informers may have been themselves well-informed and truthful, is another question, which it is hopeless to attempt to decide. Certain it is that the King acted as a brave and skilful ruler would have naturally acted under the imminence of real danger. He suddenly moved from Eltham to the capital, and collected there a strong body of trustworthy troops. On the night before the day, which had been named as the time for the muster of the insurgents, the King caused London gates to be closed, and carefully guarded; and he placed detachments at intervals round St. Giles' Fields, which was the place appointed for the insurgents' meeting. These troops converged on it, and arrested some of an assemblage which they found there; but what were the real numbers and the real purpose of those, whom they found so assembled, is very doubtful. Thirty-nine of the prisoners were summarily tried and executed, and among them were two laymen of rank, Sir Roger Acton and Sir John Brown, and a beneficed clergyman, named Burnby. Oldcastle was not captured until 1418. He was then put to death in St. Giles' Fields, the scene (according to his enemies) of the intended rising, which was to have made him ruler of England. The barbarous cruelty of the mode of his execution is unexampled, I believe, in English history. As a traitor he was hanged, but hanged alive in chains; and a fire was kindled at his feet as he hung, by which he, as a heretic, was slowly burnt to death. He met and endured this horrible doom with the courage of a noble soldier, and the piety of a sincere

Promptitude and energy of the King.

Arrest of suspected traitors at St. Giles' Fields.

Trials and executions.

Oldcastle evades capture until 1418.

Barbarity of his execution.

His heroism and piety at his death.

Christian. The inevitable impression, which the spectacle of such a death made on the people, who thronged around, was of admiration for the sufferer, and of hatred for those who caused his death. With the Reformation the zeal in his favour of all opposed to Rome was redoubled. He has never ceased to be venerated by a large portion of the English nation as chief of our martyrs; and rude woodcuts of the execution of Sir John Oldcastle may still be found in dwelling-houses and cottages, that contain nought else, except the barest necessaries of daily life, and a Bible.

Enduring veneration in which some religionists still hold him.

Henry's second Parliament assembled at Leicester, on the last day of April, 1414; and the Representatives of the Commons joined the bishops and nobles in their request to the King to ordain a new and more severe Statute against the Lollards, which recites the designs of the heretics to destroy utterly the King, the Estates of the Realm, and all the constitutions and laws of the land. But the lay landowners and the traders of England, though still, as formerly, abhorrent of anarchical and levelling principles and practices, retained their old jealousy of the power of the Churchmen, and their old desire to see some of the vast endowments of the Church utilised for State purposes. The project which had been raised in the late reign for the appropriation of Church temporalities* was revived, to the great alarm of the clergy. According to many old writers, Archbishop Chicheley (who had succeeded Arundel in the primacy) now urged on the King the justice and expediency of asserting his claim to the crown of France, in the hope that the excitement of foreign warfare would divert both Henry and his people from schemes of Church reform and spoliation at home.

Henry's second Parliament at Leicester, April, 1414.

Severe statute passed against Lollards.

Recitals in its preamble as to the Lollards' designs.

* See p. 388, *supra*.

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Hostility of the laity against the high clergy.

The Appropriation Clause revived.

Archbishop Chicheley recommends foreign war for the State, in order to buy domestic peace for the Church.

Henry's claims on France.

More preposterous than those of Ed. III.

The exhortations of his Bishops may have confirmed Henry in his design of attacking the French King, but they cannot be considered to have originated it. As has been mentioned when we were tracing the times of Henry IV., there had been throughout that reign (and indeed ever since the hostilities which ensued on the infraction of the peace of Bretigny) no regular treaty of amity and peace between England and France, but a succession of truces, never observed at sea, and frequently broken by armed assistance being given by the sovereign of one nation to the enemies of the sovereign of the other nation on land. Within six months from his accession to the throne of England, Henry V. had haughtily announced to the rulers of France that he was rightful king of that country as true heir of Isabella, daughter of Philip IV. The absurdity or insolence of this revival by Henry of Edward III.'s claim was self-apparent; inasmuch as, whatever right Edward possessed to the crown of France must have descended to Edward's lineal representative, the Earl of March, and not to the House of Lancaster. And, whatever right the English nation might have had to change their own king, and alter their own royal dynasty, such a revolution in England could not alter the line of royal inheritance as to France, except on the supposition that France was to be treated as an inferior principality, obliged, like the Channel Islands or Ireland, to follow the fortunes, and to accept the sovereign of the dominant country, England. The French statesmen repudiated Henry V.'s claim with indignation, and refused to admit it as even a matter of discussion. Henry then, protesting that he in no manner waived his right to the whole realm and immediate sovereignty of France, offered to allow the French King, Charles VI., to remain on the throne,

Illusory negociations.

but demanded the immediate cession to himself in full sovereignty of nearly all the territories that Kings of England had ever held in France, the hand of the French Princess Catherine in marriage with a dowry of two million of crowns, and the payment of the arrears of King John's ransom, amounting to twelve hundred thousand crowns more. The French would not consent (and probably Henry neither expected nor wished them to consent) to this dismemberment and degradation of their ancient monarchy; but they offered to purchase peace by the cession of Aquitaine, and by giving Henry six hundred thousand crowns as a dowry for Catherine, his intended queen. Henry refused these terms; and other offers and counter-demands followed, which showed how conscious the French were of the weakness to which their country was then reduced by misgovernment and internal seditions, and how fully Henry was resolved on war, though he sought to give some colour of moderation to his designs. At last, at a Parliament held at Westminster in the November of 1414, Henry declared, through his Chancellor, his purpose of forthwith recovering his inheritance in France by arms; and demanded stout help from the English people, and plentiful subsidies in money from the English Parliament. This warlike appeal was enthusiastically received. The Parliament forthwith voted the unusually large supply of two tenths and two fifteenths. Henry raised other large sums on his own personal credit, and by pawning the royal jewels. Nobles and knights vied with each other in collecting and equipping companies of men-at-arms and archers, and the yeomanry of England thronged eagerly beneath the banners, which were to lead them to renew the ancestral glories of Cressy and Poitiers. This war against France was eminently unjust and wicked;

A war for the conquest of France announced to the English Parliament, Nov. 30, 1414.

Martial enthusiasm of the Parliament and people.

The war a national crime.

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but the crime was a national crime; and ought not to be imputed wholly (as is often done) to the King, who headed it, or to the ecclesiastical statesmen, with whose sanction and exhortation it was undertaken.

Rendezvous of the English fleet and army at Southampton.

Southampton was the place appointed for the embarkation of the army, and thither the flower of the forces of England directed their march. A numerous and well equipped fleet of transports was ready to receive them, and the largest and best appointed warships, that England had yet seen among her navy, were at hand to protect the voyage of the troops, and to co-operate with them along the French coast.

Henry's care in improving the English navy.

Henry V. would deserve honourable mention in English history, were it only for the care bestowed by him on our navy. His office of Warden of the Cinque Ports, before he came to the throne, may probably have drawn his attention to the urgent need, that existed for so strengthening the naval defences of the realm, as to preserve our commerce and our coasts from the predatory and piratical attacks, to which they had long been subject. As soon as Henry became king, he not only directed improvements and augmentations to be made to the royal shipping, but he personally watched over the fulfilment of his orders. He caused vessels of unprecedented size and power to be built and equipped; for King Henry was minded (as the old rhyming chronicle says of him) to be Lord of the Sea round about.* He so guarded the Channel and Irish and German Seas, as to protect his subjects from foreign marauders; and he also most honourably took

* "What hope ye was the King's great intent
Of those ships, and what in mind he meant?
It was not else but that he cast to be
Lord round about environ of the Sea."
Cited by Sir Harris Nicolas, Hist. Royal Navy, p. 402.

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measures for preventing his subjects from making private attacks on the mariners and shipping of other nations. He caused a Statute to be passed in the Parliament of May, 1415, by which the killing or plundering of persons protected by truces or safe-conducts was declared to be high treason, and an officer, styled "The Conservator of Truce," was appointed for each sea-port, to make inquisition for such offence.*

His statute against breach of truce and piracy, May, 1415.

The fleet collected at Southampton for the expedition against France consisted of 1400 ships and transports of various sizes. On the very eve of the embarkation a formidable conspiracy against the King was discovered. Henry's cousin, Richard, Earl of Cambridge, was its chief organiser. He and two others were tried and put to death; and on Saturday, the 10th of August, Henry embarked on board his own ship called the Trinity Royal. The English armament set sail for the attack on France, on Sunday, the 12th, by which time the last truce with France had expired.

Strength of the English fleet.

The Earl of Cambridge's conspiracy detected and punished.

English expedition sets sail, Sunday, 12 August, 1415.

The French had made one more unsuccessful attempt to avert hostilities, while Henry was on his way from London to his fleet; and the wretched state of France made them as eager for peace, as it made their enemy eager for immediate warfare. That unfortunate country was then under the nominal rule of Charles VI., whose naturally weak intellect had received an irremediable shock from fright at the threatenings of a madman, whom the King encountered while hunting in a forest in 1392. The powerful chiefs of the nobility contended with each other for the exercise of sovereign power, not only by court-intrigue and sedi-

Miserable state of France.

Insanity of King Charles VI.

Factions of the nobles.

* See Nicolas, p. 402.

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Orleans and Burgundy.

tion, but sometimes by open civil war, sometimes by perfidy and assassination. The Duke of Burgundy and the Duke of Orleans were the chief competitors in this shameful strife. From 1404 to 1407, the Duke of Orleans had the ascendancy; and exercised despotic rule with ferocious cruelty and rapacious extortion.

The Duke of Orleans assassinated.

The young duke and his father-in-law, Armagnac, maintain the feud.

In 1407 the Duke of Burgundy, called Jean sans Peur, caused the Duke of Orleans to be assassinated. The eldest son of the murdered Orleans married a daughter of the Count of Armagnac, an energetic, but merciless man, from whom the faction opposed to the Burgundians thenceforth took the name of the Armagnacs. Armies, bands, and mobs of Armagnacs and Burgundians fought, plundered, and massacred each other all over France; and the sufferings of the wretched peasantry and burgesses at the hands of both parties were even greater than those which Burgundians and Armagnacs inflicted on each other.

Orleanists in the ascendant when Henry V. became King of England.

At the time of Henry V.'s accession to the English crown, the party of the Duke of Orleans had the advantage in France, and was in possession of Paris, and of the person of King Charles VI. They conducted the negociations, by which a renewal of the expiring truce was vainly sought for; and it was by them that the attempts to resist the foreign invaders were mainly directed.

Landing of the English near Harfleur, Wednesday, 14 August.

Siege of Harfleur.

Surrender.

Henry and the English army landed on Wednesday, the 14th of August, on the Norman coast, near Harfleur, and gained possession of that city by capitulation, after a siege and brave defence of thirty-six days. It was now October. The English army had suffered great loss of men by disease during the siege; and there was much sickness among the survivors. The French were known to have assembled a large army to resist any advance of the English. The

season of autumnal rains was approaching; and it appeared to be vain to attempt any further operations that year. It was easy for the King to garrison Harfleur, and to return thence with the rest of his forces to England. But Henry announced his intention of marching through Normandy and Picardy to Calais, saying that he desired to see the lands which were his rightful heritage. He said that he never would shun an encounter with the men who had seized it; nor would he be reproached with cowardice for hurrying home from Harfleur; but he would go forward at all risks, putting his trust in God.

Henry resolves to march to Calais.

Henry's subsequent military career bears evidence of so much sagacity and skill, that it is difficult to suppose him to have been merely influenced by vain-glory in undertaking this march, which, as a matter of strategy, was as needless, as it was perilous. The probability is that he judged his position, and forecasted opposite risks, with the enlarged view of a politician, and not as a mere soldier. He, as only the second king of a displacing dynasty, had deep need of some dazzling exploit to arouse and assure the loyalty of England to the House of Lancaster. A costly expedition across the Channel and back, followed by the capture of a single fortress with heavy loss to the takers, would not be enough. The siege of Harfleur, though conducted by the King and his troops with great skill and bravery, had been less marked by showy scenes of military daring than was usually the case in sieges. The greater part of the English lost before Havre had perished in their tents from dysentery, and not by French sword or spear in the sally or assault. At last the siege had culminated in a formal acceptance of surrender, and not in the wild daring of a storm. Henry wanted a field like that of Cressy or Poitiers,

His probable reasons.

His need as a King of dazzling victory.

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the mention of which should thrill through every English heart; which should make the gloomy Lollard forget his grudge against his royal persecutor, and which should extinguish all interest in the comparative genealogies of the descendants of Lionel of Clarence, and of the descendants of John of Gaunt. Perhaps Henry did not expect that the French would be able to unite their powers, and oppose his march with such an enormous army, as he eventually had to face at Agincourt. He may have partly relied on their councils being divided, and their military subordination imperfect; while he knew the devotion and steadiness of his own troops, and had also just confidence in his own readiness and ability in the field.

Large army collected by the French princes.

The French princes of the blood royal, when the invader was actually in the land, appealed, not without effect, to their turbulent but gallant fellow-countrymen to unite in defending their common country from injury and ignominy. The Oriflamme was displayed; and an army of sixty thousand knights and men-at-arms mustered beneath the sacred standard. Nearly all the flower of the French nobility were present. They were headed by the Dauphin, the Dukes of Orleans, Bourbon, and Alençon, the Constable D'Albret, the Marshal Bourcicault, and many more of high rank and military renown. The hatred of the Duke of Orleans to the Duke of Burgundy, even at that crisis, had been shown by a royal mandate, which ordered Jean Sans Peur to send his contingent of troops, but forbade his coming to the campaign in person. Duke Jean complained bitterly of the affront which was thus put upon him.* He

Nearly all the highest French nobles comprised in it.

* See his letter of expostulation to the King in De Barante's Histoire des Ducs de Bourgoyne, vol. ii. p. 418.

collected troops, but did not allow them to march without him. His brother, the Count of Nevers, obeyed the King's order, and repaired to the national army.

The French harass the English on their march.

Under the prudent generalship of the Constable, who commanded in chief, the French at first avoided a pitched battle with the English, but inflicted heavy loss and suffering on them by laying waste the country, breaking down bridges, and contesting with strong detachments the passage of every stream and of all difficult ground. Half starved, sick, weary, outnumbered, but indomitable in courage and endurance, Henry and his men struggled on for fourteen days, though they had expected to accomplish the whole march in eight. The river Somme appeared to be a fatal barrier, and several attempts to pass it were unsuccessful. At last, Henry, on the night of October 20th, succeeded in gaining the right bank of a neglected ford near Peronne. The French now held a council of war, in which it was determined to intercept the English, and to force them to join battle before they could reach Calais. Looking to the vast superiority of force possessed by the French commanders, we have no right to censure the determination. The Constable drew up his hosts in three great divisions near the village of Maisonçelles and the castle of Agincourt, right across the English line of march to Calais. Woods spread and closed in on either side, so as to make it difficult and almost impossible for the English to evade the French by a flank movement: but the same formation of the ground was much in favour of the English, if minded to fight, inasmuch as it narrowed the space, along which the conflicting troops could come into action; and it thus enabled the English to give battle with a line equal to that of their

Sufferings and constancy of the English.

Passage of the Somme, Oct. 20.

The French determine to fight.

They station themselves near Maisonçelles and Agincourt.

Advantages and disadvantages of the position.

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adversaries, though the French formed a column of far preponderating massiveness.

It was late on the 24th of October that the two armies found themselves in each other's presence. The overweening confidence and careless jollity, which, when a large army is defeated by a small one, are always narrated after the battle as having marked the large army's behaviour before the battle, are said to have prevailed in the French camp on the eve of the conflict at Agincourt. On the English side there may have been less hope, but there was no fear. The King did his duty nobly. He passed along the English camp cheering up the men with bold, manly words, and instructing the commanders of every grade as to their duties on the morrow. He expected that the French would endeavour to cut up his archers by a cavalry charge, and he therefore ordered every bowman to provide himself with a long stake, sharpened at both ends, with which a palisade might be formed against advancing horse. He also towards morning placed archers in the woods, who were to gall the French flanks. At daybreak he drew up the greater part of his archery in the van, with the men-at-arms arranged behind them. The ground was wet and miry, and unfavourable to the party that might give the attack. The French Constable and Marshal were veteran generals. They knew how their countrymen had suffered at Cressy and Poitiers in consequence of making a hasty advance; and they succeeded in keeping their eager troops steady in position for several hours. This compelled Henry to make a forward movement. He and his men were almost entirely destitute of provisions, and their choice lay between fighting and starving. About ten o'clock he gave the signal, "Banners, advance;" and with a great shout the Eng-

Preparations of Henry and his army.

Oct. 25, 1415, battle of Agincourt.

Prudence and steadiness of the French commanders.

Henry obliged to advance.

lish moved swiftly but steadily towards the huge host before them. The fiery pride of the French could not endure to wait for the assault of such scanty and starveling enemies. They sprang wildly forward. On this movement, Henry halted his men, who stood firmly to abide the furious but disorderly French onset. As soon as the first files of the leading French division came within bowshot, the English archers began to ply them in front and in flank with their customary deadly skill. Of eight hundred French horse, that were sent forward to break the English archery, all but seven score were shot down as they floundered forward through the mire; and this little remnant of brave men strove in vain to pass the barricades of stakes, which the archers raised against them. As larger bodies of the French first and second divisions came forward, the English bowmen receded, but not without dealing heavy carnage among the advancing columns; and, when forced from the open ground, they did not break and fly, but joined their comrades, who were lining the thick woods, whence throughout the battle incessant streams of death were poured into the French flanks. Still, fighting most gallantly, the chivalry of France pressed forward, till they joined battle with the English knights and men-at-arms under King Henry himself. The historians of both nations do full justice to the valour displayed by both French and English in this encounter. The Duke of Alençon on the French side, and King Henry on the English side, were the most distinguished champions. The King's brother, the Duke of Gloucester, fell wounded to the ground, and would have been killed or taken prisoner, had not King Henry rushed forward, and, placing himself in front of his brother, beat back the assailants, until other friends lifted Glou-

The French rush forward.

Efficiency of the English archery.

The main armies encounter.

Prowess of Alençon and Henry.

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Henry's peril.

cester, and removed him from out of the battle. In thus saving his brother's life, Henry nearly lost his own. Alençon gave him a blow on the helmet which struck off part of the crown round it. Henry reeled, but recovered himself, and returned the blow on Alençon's crest. Other English, seeing their King's danger, had in the meantime crowded round Alençon, who exclaimed to the King, "I yield; I am Alençon." Henry held out his hand to accept his brave adversary's surrender, but the fury of Henry's followers could not be stayed, and Alençon was hewn down by many swords.

Death of Alençon.

Rout of the French main body.

Alençon's death was followed by the flight of the survivors of the second French division, but the third division still remained unbroken and unassailed. Henry was re-forming his men for a charge on this body, when he received inaccurate tidings that a strong force of the French was attacking the English rear. Henry gave orders that the prisoners, who had been taken in such numbers as greatly to encumber the English, and diminish Henry's effective force, should be instantly put to death. A lamentable massacre ensued, and some thousands of brave men were slaughtered in cold blood before more accurate intelligence reached the King, that the alarm in the rear had been caused by a small body of irregular French troops, who had plundered part of the English camp. The killing of the prisoners was then stayed, and the victorious English moved forward against the French third division. But this part of the French force was dismayed by the defeat and destruction of their comrades, and by the loss of the ablest chiefs of the army. They refused to follow their officers, who urged them to advance against the advancing English,—all, except a small band of six hundred gallant Frenchmen, who charged boldly upon the English host, and were instantly cut to pieces by

False alarm of an attack on the English rear.

The English kill their prisoners.

Panic and flight of the rearward French division.

superior numbers. The mass of the third division wavered, broke, and fled, without a blow. The English, exhausted by the fatigues of the battle, and by their sufferings during the preceding march, were in no condition to pursue. Henry halted his men on the battle-field, and, sending for the clergy who accompanied his army, he directed a solemn service of thanksgiving to God. When the first verse of Psalm cxv. was chanted, every English soldier knelt on the ground, and repeated the words, "Not unto us, oh Lord, not unto us, but to thy name give the praise."

English thanksgiving after the victory.

On the following day the English resumed their march towards Calais, where they rested from October 29 until November 17. On the last-mentioned day Henry re-crossed the Channel, and landed at Dover. His subjects, in their enthusiastic eagerness to welcome the royal victor of Agincourt, crowded to the water's edge, and into the very sea, to meet him, and carried him in their arms from his ship up the beach. His progress to London was one long triumphal procession; and he entered his capital on November 23, amid national rejoicing equalling that, which had been witnessed there seventy-seven years before, when the Black Prince entered with his captive, King John of France.

The English march for Calais.

Henry returns to England.

His joyous reception.

The extent of the French loss at Agincourt is as difficult to estimate accurately, as is the number of their army before the battle. That it was great, grievous, and long felt, is certain by all accounts, and by every kind of proof. Perhaps if we write the number of those who fell on the French side at eleven thousand, and of the killed and mortally wounded on the English side at sixteen hundred, we shall have adopted the most probable calculation. The list of

French loss at Agincourt.

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Quality of the French slain, and captives.

the French slain included a heavy proportion of men of noble or knightly station, and there were among them no less than 126 princes and great lords. The English carried away also fifteen hundred French prisoners, almost all of whom were men of rank and importance. Of the number were the Dukes of Orleans and Bourbon, and the Maréchal de Boucicault, one of the most experienced and renowned warriors of the age.

Real effects of the battle.

The loss of so many of her ablest captains at Agincourt must have long weakened France in her after-struggle with the English; but, except in this respect, Agincourt did little towards the conquest of France. Nearly two years passed away before Henry renewed his invasion of that country. But all the hopes that he may have nurtured of thoroughly establishing his own throne in England by a brilliant victory over foreigners, were amply realised for at least his own lifetime. His clergy, his nobles, his commons of every class, vied with each other in devotion to their hero-King.

Henry's popularity among his own subjects.

Liberality of his Parliaments.

His Parliaments granted subsidies and customs with unprecedented liberality, and he on his side maintained and enhanced his popularity by scrupulous respect for Parliamentary rights and privileges.

Constitutional character of Henry V.'s reign.

He gave the Commons a solemn recognition of their constitutional claim, that nothing should be enacted whereby they should be bound without their assent.* He consulted his Parliaments on his treaties of peace and war, acting on the ancient constitutional maxim enounced in the days of Henry III.'s reforming barons, and in those of Edward I., that in matters affecting the weal of all the advice of all should be taken.

One very remarkable constitutional practice originated in Henry V.'s reign, which shows both the

* 4 Rot. Parl. 22.

1416.

active part taken by Parliament in the general administration of affairs, and the respect and importance which the commercial classes attached to Parliamentary pledges and guarantees. Our Kings had before this very often borrowed money, but it was on their own personal security. Henry V. was authorised by his Parliament to borrow money and to pledge the duties which the Parliament had granted, as security for the repayment of those loans. Henry's statute respecting electors will be noticed when we come to the enactments on the same subject in the time of his successor. For the present we will resume the narrative of military events and other important occurrences abroad.

Loans to the King on Parliamentary guarantee.

Early in 1416, the Earl of Dorset (whom Henry had left in command at Harfleur) advanced with his forces further into Normandy, but the Count d'Armagnac, who had been created Constable of France, brought a superior army against Dorset, and beat him back with much loss to Harfleur. Armagnac now laid siege to that city, and collected a large naval force of French ships and of confederate Genoese vessels, which enabled him to invest Harfleur by sea, and to plunder the opposite coasts of England. Henry took prompt and vigorous measures to recover the mastery of the sea. An English fleet was collected, and placed under the command of the King's brother, the Duke of Bedford. With this fleet, and a great number of vessels laden with troops and stores for the relief of the English garrison, now closely blockaded in Harfleur, Bedford sailed for the mouth of the Seine, where on the 18th of August he was encountered by the united squadrons of the French and Genoese. An obstinate sea-fight followed, in which the English were at last completely victorious; and after landing their much needed sup-

Dorset's incursion into Normandy, March, 1416.

He is beaten back and besieged in Harfleur.

Large naval force of the French.

Sea-fight and victory of the Duke of Bedford,

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plies of men and stores at Harfleur, Bedford returned to England, taking with him three of the largest French ships which he had captured. Another French and Genoese fleet, which assembled near Harfleur in the July of the following year, was attacked and defeated by an English squadron under the Earl of Huntingdon.

Aug. 16, 1416.

Naval victory of the Earl of Huntingdon, 25 July, 1417.

In the interval between Henry V.'s return from the campaign of Agincourt and his second invasion of France in 1417, England was visited by the Emperor Sigismund. The Council of Constance was sitting at this time, and Henry took an interest in its proceedings scarcely less than that felt by the Emperor. The objects of the Council were to put an end to the schism in the Papacy, to put down heresy, and to reform the corruptions which had grown up in the Church. The first object was accomplished. John XXIII. was compelled to resign the Papal dignity; one of his rivals, Pope Gregory XII., died, and the other, Pope Benedict XIII., was solemnly deposed by the Council. With respect to the suppression of heresy, the condemnation of Wyclif's doctrines by the Council, and their order to exhume and burn his remains, have been already mentioned. The two great Bohemian reformers, who had learned and taught Wyclifism throughout their country, came as living men into the power of the Fathers assembled at Constance, and the Fathers burned these two reformers alive. John Huss had been brought within their grasp through his having trusted to a safe conduct given to him by the Emperor. Sigismund stained his name with indelible infamy by breaking his faith, and by abandoning John Huss. The Council shared in, or rather surpassed this infamy, by urging the Emperor to perfidy. They pressed on Sigismund their horrible maxim that

The Emperor Sigismond in England, 1416.

The Council of Constance, 1414—1418.

Termination of the schism in the Papacy, 1417.

Burnings of Huss and Jerome of Prague.

no faith is to be kept with an infidel; that "He who is false to God has no right to appeal to truth or faith." *

With regard to the reformation of the abuses which confessedly existed in the Church, the Council did nothing.

The Emperor wishes to mediate between France and England.

It was while the Council was assembled that Henry V.'s war with France began; and the Emperor Sigismund, who was a prince of much ability and of more vanity, thought that it became him, as temporal Head of Christendom, to act as a mediator in this calamitous strife between two great Christian countries. He repaired to Paris, where he was received by the princes of the blood and the leaders of the Armagnac party with all semblance of honour; but he gave much offence by appearing to assert the pre-eminence of his imperial dignity. He then by King Henry's invitation visited England at the end of April, 1416. He was welcomed at Dover with elaborate ceremony and magnificent hospitality; but, before he landed, the Duke of Gloucester, as King Henry's representative, rode into the water with a drawn sword in his hand, and exacted from him a solemn promise that he would not while resident in England attempt any act of imperial sovereignty, such as he had lately assumed the right of exercising in France.

His visit to Paris,

and to England.

Fruitless negociations.

Henry entertained Sigismund with the greatest splendour and courtesy. There was a show of negociation for peace between England and France; but Henry demanded terms which there was no probability of his adversaries accepting. The Armagnac party among the French were incensed at their defeat at

Treaty between Sigismund and Henry.

* See Milman's Hist. Lat. Christianity, vol. vi. p. 200.

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Agincourt, and it was while Sigismund was in England, that they planned the operations to retake Harfleur, which have been above related. Henry succeeded in ingratiating himself with Sigismund so far, that a treaty of offensive and defensive alliance was signed between them on the 15th of August, 1416. But no military aid was ever rendered by one party to the other in consequence of this treaty. Sigismund returned to the Continent to attend the last meetings of the Fathers at Constance, and to encounter, as he best might, the armies of the indignant and vengeful Bohemians in the dreadful Hussite wars, which had been lighted up by the persecuting decrees of the Council.

King Henry's second invasion of France, August, 1417.

Henry had during the Emperor's presence in England steadily continued his preparations for a second invasion of France ; and when he commenced it in the summer of 1417, the French Princes had relaxed the temporary vigour against the foreign foe, which they had shown in their attempts to regain Harfleur, and they were almost wholly occupied with civil war. The Count of Armagnac held Paris with his troops, and by means of these he coerced the populace of that city, by whom he was detested, and he put to death many of the chief partisans of the Duke of Burgundy. The Queen had latterly quarrelled with Armagnac, and had warmly taken the part of the Burgundians ; but Armagnac arrested her, and made her imbecile husband, the French King, sign a sentence of banishment, under which Queen Isabel was taken to Tours, and kept there in real, though not avowed custody. The Dauphin, who had been with the French army at Agincourt, was now dead, and his next brother, Prince John, had also died since that battle. Prince Charles (afterwards Charles VII. of France) was now the sole surviving

Rage of civil war among the French.

Armagnac banishes the Queen.

The Dauphin Charles sides with Armagnac.

son of Charles VI. and Queen Isabel. The new Dauphin was a warm friend of Count d'Armagnac, and had concurred with his proceedings against the Queen. Isabel now hated her son with an intense hate, which overpowered all other feelings in her; and by her letters and emissaries she vehemently urged the Duke of Burgundy to take vengeance on her enemies and his own. That potentate (for he was far more than a great French nobleman) led an army of 30,000 men towards Paris. He failed in a first attempt on the capital; but he captured Tours and other cities. The Queen now openly joined the Duke of Burgundy; and the two held state at Troyes, whence Isabel issued proclamations, styling herself Regent of the kingdom, and annulling all acts done by Armagnac and the Dauphin in the King's name. Meanwhile King Henry made steady progress in conquering Normandy. It was his fixed purpose to regain that ancient patrimony of his royal predecessors on the throne of England, whatever might be the result of his claim to the crown of France, and of the other demands which he made in the negociations before and during the war.*

Isabel's hatred of the Dauphin.

Burgundy marches on Paris.

He liberates Queen Isabel.

Henry's fixed purpose to conquer Normandy.

The possession of the strong city of Rouen was the main point to be gained towards securing the possession of Normandy. Edward III., when at the head of his best forces, had kept aloof from besieging Rouen; and Edward's conquests of other Norman towns had given him no permanent dominion over that portion of France. Rouen was now Henry's great mark; and the consummate generalship with which his campaigns of 1417 and 1418 were conducted, with the view of

Importance of the City of Rouen.

Consummate generalship shown by Henry in

* His death-bed orders to his brother, the Duke of Bedford, and the other English statesmen and generals in attendance on him, were to make no peace with the French that did not include the cession of Normandy as part of the dominions of the English crown.

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his conquest of Rouen and Normandy.

gaining Rouen, has been pointed out with just admiration by the recent French historian of the siege of that city.* An ordinary commander, being master as Henry was of Harfleur on the north of the mouth of the Seine, would have disembarked there, and led his army straight to Rouen, at the risk of perishing between the resistance made by that strong city, and the probable attacks on the besiegers' rear by forces collected from the numerous strong places in Northern and Western Normandy, which such a march would have left unbroken and unimpeded. The plan which King Henry V. designed and executed, was very different. It was to disembark nearer to the south-west of the mouth of the Seine, at a part where no one expected him; to strike through the province by a rapid march southwards, so as to paralyse the martial noblesse of the Cotentin; to ensure the occupation of every conquered district by garrisons well placed and judiciously connected; then to wheel back towards the Seine; to pass that river higher up than Rouen, and thus cut off the communication of the city with Paris; and then, when Rouen was completely isolated, with the English fleet and forces from Harfleur pressing it from the direction of the sea, and King Henry's army moving down on it along the Upper Seine, to lay regular and scientific siege to the devoted capital of Normandy; and finally to complete and confirm by the fall of Rouen the thorough conquest of the province. Such was the scheme which Henry sagaciously formed, and steadily and energetically completed;—a scheme of operations widely distinguished from the mere battle-seeking spirit, in which the warfare of those ages was usually conducted.†

Henry's plan.

* See the "Siége et Prise de Rouen par les Anglais," par M. L. Puiseux, Caen, 1867.

† See Puiseux, p. 43, *et seq.* I have followed him very closely.

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Henry landed on the 1st of August, 1417, with an army which appears to be correctly estimated at about 45,000 strong,* on the coast of Normandy, near the mouth of the little river Touque. He quickly captured the fortresses of Bonneville and Anvilles. He then made a pretence of attacking Honfleur, so as to draw the French forces in that direction. But he rapidly countermarched, and moved towards the south-west. After cutting off all communication of Caen with the country round it, he formed the siege of that city on the 18th of August, and carried it by storm on the 4th of September. The English loss in the assault was heavy, and the defenders were put to the sword without mercy. Henry made Caen the temporary seat of his government in Normandy. Bayeux surrendered to him on the 19th of September. During the remnant of the autumn and the ensuing winter Henry led his principal force more and more to the south, capturing the important towns of Argenteau, Alençon, and Falaise. Meanwhile detachments of his troops, all acting in concert, took numerous posts of less importance. After halting for a few weeks in the spring, and thoroughly establishing his military possession of these conquests, and organising the communications of his forces one with another, he sent his brother Gloucester with a strong corps to complete the conquest of the western extremity of Normandy. Gloucester was successful; but Cherbourg did not surrender to him till after a resistance of six months. Meanwhile other English officers took Coutance, Avranches, and Domfront, in the south-west; and a fresh English corps of 15,000 men, under the Duke of Exeter, conquered Evreux, in the east. Collecting under his own command the greater part of

1st August, 1417, he lands on the coast of Normandy.

His first conquests.

He marches to the south-west.

Caen taken.

Bayeux taken.

The English conquer southern Normandy.

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An English corps detached to conquer the Cotentin.

Long resistance of Cherbourg.

Further conquests in the south-west, and east of Normandy.

* See Puiseux, p. 68.

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his forces, Henry marched towards Rouen in May, approaching it on the southern side of the Seine; Rouen is on the northern side. The Rouennais, having the broad river between them and the English army, viewed Henry and his host with indifference; and when they saw them march along the river upwards towards Paris, they thought the storm would pass by them, as had been the case in 1346, when Edward III. approached Rouen, but left it unassailed. Having besieged and captured Louviers, Henry still marched on up the line of the Seine, till he reached Pont de l'Arche. This important place surrendered to him in July. He now could move his troops across the Seine; and the possession of Pont de l'Arche gave him the command of the upper waters of the Seine between that place and Rouen, even as the possession of Harfleur ensured him the command of the lower waters of that river. He now marched rapidly back upon Rouen, with his main force along the northern bank of the Seine. Before he attacked the great city, he had cut off its communications with the sea, with the rest of Normandy, and with Paris. The only territory near Rouen, which the English did not command, was the province of Picardy.*

Henry approaches Rouen on the opposite side of the Seine, and makes a show of abandoning it, and of marching on Paris.

Henry captures Pont de l'Arche.

Then, master of both sides of the Seine, he wheels back upon Rouen.

Continued strife between Armagnac and Burgundy.

The Burgundians obtain possession of Paris.

Massacre of the Armagnacs in the French

The Count of Armagnac and the Duke of Burgundy continued their civil war with each other; each striving to surpass his adversary in cruelty. In May, 1418, the Duke's partisans in Paris opened a gate of the city to a detachment of his troops, and the Burgundians obtained possession of the capital and of the King's person. Armagnac and great numbers of his followers were thrust into the Parisian prisons; and on the 12th of June the savage populace, who

* Puiseux, p. 49.

were devoted to the Burgundian cause, broke open the prison doors, and put to death Armagnac and his fellow captives with barbarous ferocity, equalling that, which about three centuries and a half afterwards, stained Paris with the infamy of the September massacres. The young Dauphin had escaped to Melun by the aid of Tannaguy du Châlet, one of Armagnac's boldest and fiercest adherents. The Dauphin now styled himself Regent; and the remaining chiefs of the Armagnac party, collecting round him, carried on desultory but savage warfare with the Burgundians.

prisons, 12 June, 1418.

The Dauphin, Charles, escapes, and under him the surviving Armagnacs keep up the war against the Burgundians.

With little risk of serious interruption by the forces of either Burgundy or of the Dauphin, Henry now addressed himself to the great operation of the siege and capture of Rouen. The details of this siege deserve to be studied more fully, than they can be narrated here. They illustrate most forcibly the high military abilities of Henry; but they also show the vein of harshness and merciless rigour, which underlay his general kindly and genial character, and which cropped out in his treatment of Badbee, and perhaps in his traditionary sternness, after he became King, towards the old companions of his youthful follies, as well as in many passages of his warlike career. But the siege of Rouen deserves still more to be studied, as evidencing the gallantry and patriotism of the French nation. They were destitute of leaders. Their King, after the campaign of Agincourt, from either imbecility or selfish cowardice, neglected every royal duty; their Queen was a profligate intriguer, hating her own son, the Dauphin, with a malignity such as that, which a Spanish Queen, in the beginning of our own century, showed against her son, the Prince of the Asturias; and was equally ready to sacrifice the realm to foreigners rather than allow her own child to reign over it. The royal Princes and the chief of the

Importance and interest of siege of Rouen.

Harsh and cruel understratum of Henry's character.

Its croppings out.

Patriotism and bravery of the middle classes of the French.

Degradation of the French Royal Family.

Disloyalty and factiousness

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of the great nobles.

The regular feudal military force decapitated and shattered.

French nobility, who had not fallen at Agincourt, or gone into captivity in England, were almost wholly intent on their deadly feuds with each other, and left King Henry to extend his conquests as he listed. The feudal military force of the land was thus headless and almost lifeless. There was no other organisation. There was not any patriotic General or Chieftain of paramount influence and power, around whom volunteers could group themselves, and under whose guidance a new national army might be created. Yet the French gentry and burghers almost universally refused submission to the victorious enemy; although complete protection for person and property was guaranteed to all, who would acknowledge King Henry as their ruler; and although resistance was punished with merciless military severity. The conquest of Normandy was effected by a war of sieges. There was no army to oppose the English in the open field; but the French gentry retired into their fenced cities, some of which had small garrisons of regular troops. The populations of the cities were devotedly loyal to their country; and the defences of nearly all were signalised by determined bravery.

Horrors of the siege of Rouen—a background to the lustre of Agincourt.

Those who are dazzled with the glories of Agincourt, (as is the case still with many English readers, and some English writers of history), should study the narratives of these sieges, as given by both English and French chroniclers, in order that they may be taught to view aright the true character of this unholy war, and the amount of human misery which it created.*

* See especially Monstrelet, Holinshed, and an English poem, apparently written by an Englishman who was present at the siege of Rouen. It is to be found in vols. xx. and xxi. of the Archæologia. Holinshed certainly had before him many contemporaneous narratives which we do not possess. M. Puiseux in his Introduction, gives a good review of the contemporaneous authorities, and of their comparative values.

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Siege of Rouen, July, 1418—January, 1419.

Strength of the city.

Rouen was strong by position and by fortification; and a body of 5,500 French men-at-arms had been collected in the city by Guy de Boutellier, one of the best officers that remained in the service of the King of France. The armed population was numerous and brave. The city train-bands were 15,000 strong, and in the defence of a town were little if at all inferior to regular troops. A chosen band of one hundred cross-bow-men was under the personal command of Alain Blanchard, who appears to have exercised a general authority over all the armed citizens. The fortifications were unusually well supplied with cannons and military engines. The artillery-men were 2000 in number. There was also a force of 600 militia-men, which the city of Paris had sent to their friends at Rouen a little before the beginning of the siege. The number of deserters from the English army appears to have been considerable. Such was the strength of Rouen; and it was clear that an attempt on the part of the English to carry the place by storm could only result in a severe repulse of the assailants. The facilities given for the introduction of supplies by the river Seine, which flows through the town, and the great extent of the walls, seemed to make an effective blockade impracticable. But the military skill and remorseless perseverance of King Henry overcame all the resources of defence. The English army, advancing from the south along the line of the river, drove back into the town the French troops and citizens, who had advanced to delay the invaders' progress; and then formed in six divisions round the walls, a strong English force confronting each of the city gates, and fortifying itself with towers, and with batteries of cannon, and with the old engines for casting stones and darts, which the application of gunpowder to

Military and engineering skill of Henry.

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warfare had not yet superseded. Deep trenches connecting the strongholds of the besiegers with each other, were dug round the town; and rows of strong palisades and hedges of thorns were planted along both sides of the trenches. A bridge was built by the besiegers across the river above the town, and a numerous flotilla was brought up from Harfleur, and moored below the town, which completed the circle of communication throughout the English lines. In order to cut off all possibility of Rouen receiving supplies by the Seine, a large detachment of boats from the flotilla was dragged with immense labour of men and horses overland, and launched again on the stream above the city, so as to keep guard near the English bridge. The strictest discipline and vigilance were maintained among the besiegers. The precise post, which each division and subdivision was to occupy, was clearly defined; and limits were appointed, beyond which no soldier was on any account to wander. Soon after these orders were given, Henry saw two of his men "who were walking abroad without the limits assigned, whom he caused straightway to be apprehended and hanged upon a tree of great height, for a terror to others, that none should be so hardy as to break such orders as he commanded them to observe."*

Bravery displayed on both sides.

Before these lines of circumvallation were completed, the besieged had made many desperate sallies, which were encountered by the English with equal valour, and many gallant deeds of arms were performed on both sides. But though the defenders of Rouen thus retarded, they could not stop the steady progress of the English engineers; and at last the besiegers'

The investment completed.

* Holinshed.

works were so strong, and the arrangement for prompt support to each assailed part of them so complete, that every sallying party was speedily beaten back with heavy loss; and it was with extreme difficulty that Le Boutellier was able to keep up any communication, by means of messengers, with the open country. King Henry made no assault on the city. He trusted to the slow but sure tooth of famine to break down Rouen. He had advanced against the city in July, purposely timing his approach before the full ripening of the new corn, so that the garrison should not strengthen their resources by the harvest of that year. The defenders had themselves laid waste the country, as they retreated before the English upon Rouen, intending to deprive the invaders as far as possible of means of supply; but Henry's forethought and skill guarded his troops effectively from suffering any of the privations, which they inflicted on those within the town. Henry's ships brought stores up the river; and he had under his command large numbers of light cavalry, who swept the country far and near of its resources, which they brought into the English camp. He had a body of native Irish, 1600 in number, who especially signalised themselves in this marauding warfare, and were regarded by the French as some of the worst scourges of the land. Monstrelet says of them:

King Henry trusts to famine to win the city.

Ample provisions for the besiegers.

"The King of England had in his army numbers of Irish, the greater part of whom were on foot, having only a stocking and shoe on one leg and foot, with the other quite naked. They had targets, short javelins, and a strange sort of knives. Those who were on horseback had no saddles, but rode excellently well on small mountain horses, and were mounted on such paniers as are used by the carriers of corn in parts of

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France. They were, however, miserably accoutred in comparison with the English, and without any arms that could much hurt the French whenever they might meet them.

"These Irish made frequent excursions during the siege over Normandy, and did infinite mischiefs, carrying back to their camp large booties. Those on foot took men, and even children from the cradle, with beds and furniture, and placing them on cows, drove all these things before them, for they were often met thus by the French."

Orders had been given by Le Boutellier, on assuming the command in Rouen, that all persons, who could not bear arms, should quit the town, except those who had private stores of provisions sufficient for six months. But many helpless creatures had remained; and the advance of the English troops, with their savage Irish auxiliaries, had driven large numbers of the country people to seek shelter within the walls. It is computed that many more than 100,000 human beings were shut up in Rouen when the English lines of investment were completed.* For these there was no food, except the scanty stores that were in the city when the English approached. Scarcity was soon felt, and by the beginning of winter, men, women, and children were fain to live on horses, dogs, cats, mice, and rats, and other things unfit for human food.

Distress of the besieged.

The Governor ordered the most feeble and destitute to be collected, and "full 12,000 poor people, men, women, and children, were driven out from the city gates."† The helpless outcasts crept towards the English

12,000 of the most helpless turned out from the city.

* M. Puiseux (chap. ii.) estimates the number at four times this amount.

† Monstrelet. M. Puiseux thinks (with much probability) that these were not inhabitants of Rouen, but country people who had fled before the advancing besiegers into the city.—P. 143.

lines, in the hope of being at least allowed to pass through, and seek for food and shelter in other French towns, even if their fellow-creatures in the English army denied them charity. But by Henry's orders they were driven back towards the city, where he probably expected their countrymen would receive them, and thereby diminish the supplies yet available for such as could bear arms. But they staggered back to the city in vain. The Governor refused to allow the gates to be re-opened; and these 12,000 human beings lay down in the ditches to perish by the slow agonies of cold and famine. Some help must have been given to them from the walls, by the compassion of their fellow countrymen; and it is said that the English soldiers sometimes disobeyed orders, and stealthily threw bread to them. Some of them were still alive, even at the end of the siege in January. English writers have eulogised what they call the generosity of Henry, who ordered a solitary meal to be given on Christmas Day to the French outcasts in the ditches, who then survived. But by far the greater number were starved to death in full view of the merciless English King and his army. In the report of these horrors, which the defenders of Rouen sent to their own King Charles VI., to induce him to send an army to raise the siege, they told him that "among other things, grievous and pitiful to be related, it had been frequently necessary for them (the townspeople) to draw up in baskets new-born children from mothers who had given birth in the ditches, that the babes might be baptized, and that the little ones were after baptism lowered back again to starve and die with their mothers. Many, however, had perished without christening."

Passage through the English lines denied them.

They starve and die between the besiegers and the besieged.

From the French Court at Paris promises of help, but promises only, were sent to Rouen. It would,

The Rouennais vainly seek help

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indeed, have been almost impracticable for any French army, that could then have been assembled, to force its way through Henry's fortified lines into the city. But the French Princes and great nobles were wholly intent on their own sanguinary feuds with each other; and Rouen was left to fall without a blow being struck to aid her. As the long wintry weeks moved on, the sufferings of the besieged grew more and more appalling, surpassing at last all human nature's powers of endurance. By the beginning of 1419 one half of the population had perished. The survivors sent a deputation to the English camp to propose conditions of capitulation. Henry sternly refused to grant any terms; and demanded an unconditional surrender. The men of Rouen refused such submission; but before the deputies left Henry's presence, one of them implored the English King at least to show compassion to the remnant of outcasts in the city ditches. Henry replied in words, which his countrymen seem to have treasured with admiring care; and which English chroniclers, who wrote more than a century after the time, have continued to repeat and record with such eulogizing comments, as show how long the international hatred, and the blindness to right, which this wicked war created, continued to sully the English people. Holinshed uses these words:—"One of the deputed citizens shewing himself more rash than wise, more arrogant than learned, took upon him to shew wherein the glorie of victorie consisted; advising the King not to shew his manhood in famishing a multitude of poore simple and innocent people, but rather suffer such miserable wretches as laie betwixt the walls of the citie and the trenches of his siege, to passe through the camp, that theie might get their living in other places; then if he durst manfullie assault the

The defenders of Rouen ask for terms.

Harshness of Henry.

Mercy for the outcasts implored and denied.

place, and by force subdue it, he should win both worldlie fame, and merit great meed from the hands of Almightie God, for having compassion of the poore, needie, and indigent people. When this orator had said, the King with a fierce countenance and bold spirit, reproved them for their malapert presumption, in that they should seeme to go about to teach him what belonged to the dutie of a conqueror, and therefore since it appeared that the same was unknown to them, he declared that the goddesse of battell, called Bellona, had three handmaidens, ever of necessitie attending upon her, as Blood, Fire, and Famine, and whereas it laie in his choice to use them all three, he had appointed onelie the meekest maid of those three damsels to punish them of that citie till they were brought to reason. This answer put the French ambassador in a great studie, musing much at his excellent wit and hawtinesse of courage."

Desperate resolution of the besieged.

Le Boutellier now assembled the survivors of the garrison and of the inhabitants, and proposed to them, that rather than give up the city to the foreigners, and rather than be massacred in cold blood, they should undermine part of the outer wall, set their homes on fire with their own hands, and then suddenly throwing down the mined wall, rush in a mass upon the English lines. Some of them might in the confusion and alarm of such an attack burst or steal a passage and escape ; the rest would at least perish sword in hand.* This desperate resolution was adopted ; and would have been acted on, but Henry received intelli-

* The remnant of the Greek garrison and inhabitants of Missolonghi, in 1826, at the end of the second siege of that town, planned and actually executed a similar *sortie en masse*. Three thousand perished ; but eighteen hundred, including two hundred women, made their way through the Turkish lines to a place of safety.

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gence of the design, and gave an opportunity for again discussing terms of surrender. He did not wish to be deprived of the prize of all his toils, and to find himself master of a heap of ruins, instead of the strong and stately city, on which he had so long been covetously gazing. It was now agreed that all in Rouen, who refused to swear allegiance to King Henry, should have free passage beyond the district occupied by the English troops, on condition of binding themselves by oath not to bear arms against the English for one whole year. Those, who would acknowledge him as their King, might remain in the city with full protection for person and property. The city was to retain all its ancient liberties and privileges. A ransom of 350,000 crowns of gold was to be levied, and paid over to the conquerors. Seven among the defenders of Rouen were specially excepted from the benefit of the capitulation. Six of these were afterwards allowed to pay ransom for their lives; but Alain Blanchard, who throughout the siege had been the guiding and animating spirit of the armed citizens, was publicly put to death in cold blood by the King's orders.

The English grant conditions of surrender.

King Henry in Rouen.

The King of England made his triumphal entry into Rouen on the 19th of January, 1419, being 215 years after his ancestor, King John, had been dispossessed of it by the French King, Philip Augustus.

Further conquests made by the English.

Patriotism of the Norman gentry and burghers.

This important conquest was followed by the speedy reduction of numerous other towns in Normandy and Brittany; but many of the chief citizens, and large numbers of the gentry of those provinces abandoned their lands and houses, rather than submit to the English. Henry's projects for making himself King of France still seemed far from any probability of realisation, when the wickedness and madness of the French Court did more by a single act of bloodshed

to advance his power, than all his own successes in the field or in the siege could accomplish.

1419.

The unnatural enmity between the Dauphin and his mother, Queen Isabel, continued to rage; and, as the Duke of Burgundy was favoured by the Queen, the Dauphin became the head of the Armagnac faction against that of the Burgundians. After many scenes of cruelty and treachery, there was the semblance of a reconciliation between the two parties. But at last, on the 10th September, 1419, the Duke of Burgundy was entrapped into the Dauphin's power at Montereau, under the pretext of an amicable meeting to concert operations against the English; and he was then assassinated in the Dauphin's presence. The son of the murdered man, who now became Duke Philip of Burgundy, inherited all his father's power; and the desire of avenging his father's death became naturally the ruling passion of the young Duke's mind. He immediately opened communications with and between the French Queen and King Henry; and these led to compacts, by which Henry bound himself to aid Duke Philip in bringing the murderers of the late Duke to justice, and to make grants of certain districts in augmentation of the Burgundian territories. Henry was at once to be made Regent, and solemnly acknowledged royal heir of France; and after the death of King Charles VI. the crown of France was to belong to King Henry and his heirs for ever. Henry was to marry Catherine, the Princess Royal of France; and Henry's brother, the Duke of Bedford, was to marry the sister of Duke Philip. The French King and Queen, the Duke, and King Henry met at Troyes; and a treaty solemnly ratifying their agreement was made there on the 21st of May, 1420. On the Trinity Sunday following, the marriage of

The Dauphin murders the Duke of Burgundy at Montereau.

The new Duke of Burgundy joins the English.

Compact between Queen Isabel, the Duke of Burgundy, and Henry.

Treaty of Troyes.

CHAP. VIII.

1420.

Henry marries the Princess Catherine.

Henry with the Princess Catherine was celebrated with great pomp and show of rejoicing. Henry left Troyes a few days after the marriage, to resume the command of his army. Sens, Montereau, and Melun were successively besieged and captured; and in December Henry made his royal entry into Paris. He was still in name only Regent of France. The King of France, the imbecile Charles VI., was with him, and was permitted to take the post of honour, and ride into his capital on Henry's right hand. The Duke of Burgundy also was there; but it was to the victorious King of England that the attention of all was successively directed; and all felt that Henry was the master of the day. He placed English troops in occupation of the fortress of Vincennes, and of the Bastille; he appointed to office, and dismissed from office, at his own discretion. The States General of France were convened; and formally confirmed the treaty of Troyes, and took the oath of allegiance to Henry as their Regent and future King. All who refused to acknowledge Henry's title, were proclaimed to be traitors to the crown of France. After certain judicial formalities, sentence was pronounced against the murderers of the late Duke of Burgundy, and they were declared to be attainted and outlawed. After Christmas, Henry marched back through Normandy, making a slow and careful inspection of that province and the other conquered districts, and laying down strict regulations for their civil and military government.

Henry's entry into Paris.

Henry marches back to Normandy.

Returns to England with Queen Catherine.

In February, 1421, he returned to England, bringing with him his young bride, whose coronation was celebrated with the greatest magnificence. But not many weeks of peaceful reign in England were permitted to the triumphant conqueror. March was scarcely past, when he received the heavy tidings, that his favourite

1421.

brother, the Duke of Clarence, had been defeated and killed, and fifteen hundred English knights and men-at-arms slain or taken prisoners, at Beugé in Anjou. This success on the French side had been gained by means of alliances, which the Dauphin had formed with the King of Castille and with the Regent of Scotland. The Spaniards lent him a fleet, which, among other services, conveyed to France an auxiliary force of 7000 Scots, under the Earl of Buchan. The French General, La Fayette, who commanded for the Dauphin in Anjou, with the aid of these valuable allies gained a complete victory on the 22nd of March, 1421, over the Duke of Clarence, whom Henry had left as his Lieutenant in Normandy, and who was seeking to add Anjou to the English conquests. Clarence, who probably underrated the quality as well as the number of his adversaries, had hurried into action without the support of his archers, and was surrounded and overpowered. Henry immediately prepared to retrieve this disaster. He collected fresh forces; and, leaving his young wife in England, landed again at Calais on the 11th of June. No one encountered him in the field, and the war became again a war of sieges. The strong city of Dreux surrendered to the English in October, and Henry advanced against Orleans; but no adequate preparations for the supply of his army during a long siege in that part of France had been effected, and the scarcity of provisions, when winter approached, made him raise the siege and retire to Paris, where he kept royal state during the Christmas of 1421. He received about this time intelligence that on the 6th of December a son and heir had been born to him at Windsor, the prince whose unhappy reign as Henry VI. was so soon to commence. In the following spring he besieged Meaux, which yielded, after

The Duke of Clarence defeated and killed at Beugé.

Henry leads large reinforcements into France.

Birth of Henry of Windsor, afterwards Henry VI.

CHAP. VIII.

1422.

Henry V.'s illness and death.

a fierce resistance, on the 5th of June, 1422. It was Henry's last conquest. He fell ill early in the next month of a malady, which appears to have been a fistula, and which baffled the skill of the physicians and surgeons of that age. He died on the 31st of August at the Bois de Vincennes. His state had been for some days known by himself as well as by those around him to be hopeless; and he met death fearlessly and calmly. He had always been a man of strong religious convictions; he had never doubted the justness of the war which he was waging; and many of his acts, which appear to us barbarous cruelties, were doubtless regarded by himself as necessary and laudable severities. Still, the heavy war that he left raging, and the perils, that were likely to overcloud the long minority of the little babe, whom he was leaving without ever having seen, pressed on the departing spirit of the English King. He strove earnestly to order all things for the best. He made his brother, the Duke of Bedford, Lieutenant of the English forces in France, and directed that he should assume the Regency of that kingdom, if declined by the Duke of Burgundy, to whom, in the first instance, that dignity was to be offered. Henry named his other brother, the Duke of Gloucester, Regent of England; and desired that the personal guardianship of the young King should be given to the Earl of Warwick. On the last day of his life, he summoned round his death-bed the chief English nobles, who were in attendance, and earnestly commended his Queen and his infant son to their loyal care. His last advice was that the English should cultivate carefully the friendship of the Duke of Burgundy; that none of the French princes of the blood who had been captured at Agincourt, should be released

His dying orders and advice.

while the war lasted; and that no peace should ever be made with the Dauphin, unless one of its terms were the cession of Normandy in full sovereignty as part of the dominions of the English crown. He then turned to his physicians, and asked them how much longer he might expect to live. They replied that his recovery was in the hand of God. He rebuked them for the evasion, and demanded an explicit answer. They consulted a little together, and then one of them fell on his knees and said to the King, "Sire, address your thoughts to your soul's health, for in this world you cannot have more than two hours to live." Henry heard the awful announcement with composure; and requesting that his confessor and his chaplains should be called in, he passed the brief residue of his life in devotion. His chaplains were repeating the seven Penitential Psalms. On their coming to the verse which speaks of the building up the walls of Jerusalem, Henry interrupted them with a feeble voice, and declared that it had always been his fixed intention to lead an army to Palestine as soon as the French war was over, and to rescue the holy city from the Mahometans. Soon after saying this he expired, having lived for little more than thirty-four years, and having reigned for a few months over nine years.

His death.

CHAPTER IX.

Progress of the War in France—Death of Charles VI.—Henry VI. proclaimed King in Paris—Siege of Orleans—Joan of Arc—Death of the Regent Bedford—Continued ill-success of the English—Close of the French Wars—Constitutional history of England during the Lancastrian reigns — Limitation of the Electoral Franchise — Change in borough rights—Strife of parties—Character of Henry VI.—His unpopular marriage—The Duke of York's claim to the throne—Cade's Rebellion——Henry becomes imbecile—York Protector—Birth of Prince Edward—Henry recovers—Beginning of the War of the Roses—Attempted compromise—Queen Margaret renews the war—Defeat and death of the Duke of York—Victories of his son, who becomes Edward IV.—His quarrel with Warwick—Henry VI. restored—Edward regains the crown—Deaths of Warwick and Henry VI.—Factions in Edward's court — His war with France — Treaty of Pecquigny — Accession of Edward V.—Position and character of Richard Duke of Gloucester—Richard is Protector—He claims the Throne and becomes Richard III.—Deaths of the young Princes in the Tower—Character of Richard's reign—Expeditions of the Earl of Richmond—Defeat and death of Richard III. at Bosworth—The Earl of Richmond becomes Henry VII.—Constitutional History—General survey of state of Europe—Transmarine Discoveries—Printing—Firearms—Decay of Feudalism.

CHAP. IX.

1422.

THE brief period of Henry V.'s reign comprises several matters of importance in our constitutional history; but the consideration of them may be conveniently deferred until we examine the parliamentary measures and other domestic occurrences of the first portion of the reign of his successor. Meanwhile we will go on tracing the progress of the great French war, which continued to rage, though with unequal violence, and with many vicissitudes of fortune, for thirty years after Henry V.'s death. That conqueror was followed to the grave in less than two months by his father-in-law, the unhappy Charles VI., who had been permitted to retain the title of King of France. The English and Burgundians now caused the infant son of Henry V. to be proclaimed King in Paris. On the other hand, the Dauphin assumed the

Continuation of the war in France.

Death of Charles VI.

Henry VI. of England

title of Charles VII., and was proclaimed King of France by his partisans in Poitiers.

proclaimed King of France at Paris.

Charles VII. proclaimed at Poitiers.

The English arms were guided with great skill and vigour for some years by the Duke of Bedford, as Regent in young Henry's behalf. An English force, led by the Earl of Salisbury, defeated a body of French and Scots at Crevant in the July of 1423; and on the 16th of August, 1424, Bedford himself gained a far more important victory at Verneuil. The Scottish auxiliary force, which had rendered very great services to the cause of Charles VII., was almost destroyed in this battle. The progress of the English arms was now delayed for some time, partly through the dissensions in the English Council between Henry VI.'s uncle, the Duke of Gloucester, and his great-uncle, Cardinal Beaufort; and still more by the offence given to England's powerful ally, the Duke of Burgundy, through the selfish folly of the Duke of Gloucester. That nobleman, in 1423, married Jacqueline, the widow of the late Duke of Brabant, and the claimant by inheritance of the counties of Hainault and Holland. These claims were opposed by the Duke of Burgundy; and when Gloucester marched an English army into Hainault to seize on his wife's heritage, Burgundy opposed him with open force, and the complete alienation of the Burgundians from the English interests seemed inevitable. The Regent Bedford, with great difficulty, terminated these alarming dissensions; and in 1426 Gloucester abandoned his attempts upon Hainault. His marriage with Jacqueline was declared void by the Pope. In 1428 Bedford determined to proceed vigorously with the conquest of those parts of France, southward of the Loire, that still acknowledged Charles VII. An English army, under the Earl of Salisbury, the victor of

Ability of the Regent Bedford.

English victory at Crevant.

Great victory at Verneuil.

Slow progress of the English conquests.

CHAP. IX.

1428-1429.

The English commence the siege of Orleans, October, 1428.

Crevant, and renowned among Henry V.'s generals for skill as well as valour, marched in October against the city of Orleans, which is on the Loire, and which was regarded as the only important barrier to the advance of the invaders. Salisbury was killed by a cannon-shot early in the siege; but the Earl of Suffolk, who was second in command, continued the operations against the city, which was partially blockaded throughout the winter. The besiegers themselves suffered much through the inadequacy of supplies, and the French hoped that this would compel Suffolk to raise the siege and retire, as King Henry V. himself had retired from before the same walls in 1422.

Fastolf defeats a French force at Rouvrai, 12 Feb. 1429.

They collected an army of 5000 men to intercept a large convoy of provisions, which Bedford had sent from Paris for the English troops before Orleans. Sir John Fastolf, who commanded the escort of the convoy, had only half the number of the French. But he gave them battle near Rouvrai on the 12th February, 1429, completely defeated them, and brought his convoy safely into the English lines.

Perilous state of Orleans.

The siege was now more closely pressed, and scarcity began to be felt in Orleans. The townsmen offered to give up the city to the Duke of Burgundy; but the English insisted on possession being given to King Henry's own troops. The Orleannais sullenly prolonged their resistance; but all felt a melancholy certainty that famine and the English sword would ultimately prevail at Orleans, as had been the case at Rouen. Charles VII. and his followers despaired, after the battle of Rouvrai, of collecting any force that could encounter the invaders. The fall of Orleans, and the fall with it of the national independence of France, seemed inevitable, when they were rescued, not by

Desperate condition of Charles VII.'s affairs.

statecraft, not by soldiership, not by foreign alliance, not by gold, but by the simple, pure-hearted devotion and heroism of a young peasant girl called Joan of Arc, and known in history from a scene of her exploits as the Maid of Orleans.* She had led a quiet and blameless life through childhood and early girlhood, chiefly occupied in tending the little flock of sheep and goats possessed by her father, who was a cottager at Domrémy, on the borders of France and Lorraine. She was noted for affectionate gentleness, for her strict piety, and for her fondness for the legendary lore respecting Saints and Angelic beings, which in that age formed matter of unquestioning belief. The remote district, where she lived, had suffered less than many others from the war; but English and Burgundian marauders had sometimes spread terror through it; and the dreadful misery inflicted on France by the insolent invaders was continually narrated and deplored in Joan's home, with fervent prayer for heavenly aid against the oppressors. A popular belief was growing up among the peasantry, that God would before long grant such deliverance, and that He would humble the pride of the English, even as He had by their arms humbled the former sinful pride of France. The heart and brain of the enthusiastic girl were incessantly filled with visions of the advent and the manner of this Divine retribution; and at length she believed that she herself was chosen to be Heaven's minister in its accomplishment. Her inner, if not her outer, sense heard spiritual

Appearance of Joan of Arc.

Her religious and patriotic enthusiasm.

* Her real baptismal name was Jeannette; her father's name was Jaques d'Arc. She was called by the French Jeanne, which was Latinised into Johanna, and Anglicised into Joan. All the memorials and documents respecting her history are to be found in the "Procès de Condemnation et de Réhabilitation de Jeanne d'Arc," published in five volumes by the Société de l'Histoire de France.

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voices summoning her to prepare her mission; and she had visions of saints from Paradise, that encouraged her, and "told her that France was to be saved, and that she was to be its saviour."* Fully believing herself in the truth of this call from Heaven, she won the belief of others also in its reality. Her fame spread rapidly. She obtained the arms and apparel of a

* See Joan's own replies to her judges at Rouen, in the Procès already referred to. I do not understand how any fair inquirer can doubt the perfect sincerity of Joan. We ought to consider what an effect the solitude and romantic scenery of pastoral occupations often produce; and that Joan's chief employment in her girlhood was to tend her father's sheep and goats. A lately published book of travels and adventures in Australia contains a remarkable proof of the proneness of the mind under such circumstances to surrender itself to the influences of what is sometimes called fancy, and sometimes called poetical or religious reverie. The author of the book which I refer to, the Rev. Arthur Polehampton, at one time was obliged to get his living as a wood-cutter in the bush in Australia. He worked and dwelt alone. He says of this part of his life, "*I used sometimes to fancy I heard voices calling me by name. Now and then I used to be startled by fancying that I heard my mother calling me; so plainly, that I almost expected to see her, though I knew that she was at the time some sixteen thousand miles distant; and on one occasion, on a Sunday afternoon, when I had just awoke up from a half-dozing state, and was looking through the half-open entrance of the tent into the bush beyond, two figures were before me, just within the entrance—a lady and a little girl—well, but simply, dressed in white, and both very good looking, in all senses of the word. They did not speak; but it seemed to me as though they had come for me to accompany them to church. Their appearance was too pleasing to alarm me, though I knew that there were no women nearer than Melbourne who could by any means be termed ladylike, as these figures undoubtedly were.* Of course it must have been some optical delusion; but anyhow, it was a very pleasant one, and I don't care how many more I have of the same kind. I only mention it to show the state into which solitude brings some minds, mine among the number." (Kangaroo Land, by the Rev. Arthur Polehampton, p. 148.) Mr. Polehampton (as the rest of his book abundantly shows) was a strong-nerved, strong-minded, shrewd, practical man, well-educated, but trained by education to disbelieve everything savouring of the supernatural, except the truths which his Bible taught him. If such a man could in our age be so influenced as he narrates, why should we doubt the influences which the phenomena, real and apparent, of the wild wood and the solitary fell could produce on a highly sensitive girl like Jeannette d'Arc, whose mind was stored with legends of visions of Saints, and of miracles wrought by Saints, in the truth of which she and all her teachers and friends believed as firmly as in the truths of the Gospel?

knight; and, mounted on a knightly steed, proceeded to the French Court. Charles VII., before whom she was conducted, and to whom she confidently predicted success, at first scoffed at her; but he soon thought it prudent to assume the semblance at least of faith; and allowed her to march at the head of the best French troops, that could be gleaned together for a final effort to relieve Orleans. The English, in their confidence that the city must soon surrender, kept negligent guard; and the relieving force passed their lines in the night-time during a great storm of thunder and lightning, and entered Orleans with supplies of men and provisions. The aid thus given in soldiers and in food was most seasonable, but the besieged derived infinitely more valuable succour from the presence of the holy maid herself. So she was deemed by her countrymen: nor did the English doubt that she possessed supernatural power; though they ascribed it to a league with the fiends, and to the sorcery and witchcraft which they believed Joan to practise.

She appears before Charles VII. and predicts victory to him.

She leads an expedition to the relief of Orleans.

She enters Orleans.

Exultation of the French and superstitious alarm of the English.

Before the enthusiasm of her own followers, and the superstitious alarm of her enemies could abate, Joan headed repeated sallies against the English lines, in which she displayed the most brilliant courage; while the veteran French military chiefs, who had accompanied her to Orleans, made the most skilful use of every advantage. The English were obliged to raise the siege, and retreat with heavy loss of men and munitions. But the reaction, which Joan's victory caused in the spirits of both friends and foes, was far more important than the amount of killed and wounded on the English side, or the cost of the great engines and siege-works which they abandoned. Frenchmen now looked on the cause of their national

She drives the English from Orleans.

Moral reaction caused by this success of the French, and defeat of the English.

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1429.

King as favoured by Heaven, and as certain of success; while even the most stubborn of the English began to fear that the conquest of France was an impracticable enterprise; and they entered upon each great campaign with forebodings of failure and disaster. Many towns, hitherto held against Charles VII., expelled their English and Burgundian garrisons. French forces gained successes in the field at Jargeau, and at Patay; and in July an army led by the Maid of Orleans, and by Charles in person, recovered the City of Rheims, which was important, not only by reason of its position and strength, but because it was the coronation city of the Kings of France, according to ancient and long-continued usage. Charles VII. was crowned and anointed there, on the 18th of July, 1429; and this proved to be no mere ceremony, but it was viewed by the French nation as another solemn proof of the judgment of Heaven being pronounced in Charles's favour, and of his being the true King, to whose cause every loyal and God-fearing Frenchman ought thenceforth to devote his sword.

Many towns recovered for Charles VII.

Rheims won back by Charles.

Importance of that city.

Coronation of Charles.

The Maid of Orleans, clad in full armour, and holding in her hand her own banner, which had waved the French on to victory, stood by the high altar at Rheims, and witnessed the triumphant coronation of Charles. She knelt in gratitude on beholding her mission thus accomplished, and she asked of the King that she now might be allowed to return to her parents, to tend their flocks once more, and to live at her own will in her native village. But her influence over the French soldiers was deemed too valuable; and she was persuaded to stay and to take part in the continued war. She aided in the recapture of several strong places from the English; but she was

severely wounded in an unsuccessful attack which the French made on Paris in the course of the autumn. In the spring of the following year she was again in the field, and threw herself with a small force into the fortress of Compiègne, which was being besieged by a Burgundian army. She showed her accustomed valour, and, on the 24th of May, led a sally against the besiegers, which was repulsed. Joan, ever the first in advance, was now the last in retreat, and repeatedly faced about to engage the nearest pursuers, and give her men more time to regain the town. The mass of the fugitives, in their panic selfishness, closed the city gates, and Joan, with a few brave soldiers who remained with her to the last, was left outside among the overwhelming numbers of the enemy. She fought her way to the edge of the city ditch, and called to those on the walls to aid her ; but none came forth to save her who had saved France. Conspicuous by her armour and attire, she was eagerly marked and assailed by the enemy. She tried to escape by forcing her horse across the fields ; but a Burgundian archer sprang up behind her, and seized her by the helmet, and they fell to the ground together. As she lay helpless, she gave up her sword to Vendome, an officer in the Duke of Burgundy's service. The rejoicings of the besiegers were loud and vehement. Vendome, as was the custom of knights in those days, made the best of his prize by selling Joan to his superior officer, John of Luxembourg, who sold her again to the English, as in the best market, for 6000 livres, to be paid down, and an annuity of 300 more during his life. The English had some difficulty in providing the money ; and De Luxembourg refused to part with his captive before the 6000 livres were handed over to him. He kept Joan in his custody for three months,

1430.

The French gain other advantages, but are repulsed from Paris.

Joan is besieged in Compiègne by a Burgundian army.

She heads a sally, which is repulsed.

She is taken prisoner.

The Burgundians sell her to the English.

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1431.

until the money was forthcoming. She was then delivered over to the English, and Bedford determined that she should be tried before an ecclesiastical tribunal as a heretic and a sorceress. The University of Paris, then completely under English influence, readily co-operated with the Regent; but the trial took place at Rouen, as the Bishop of Beauvais, a Frenchman by birth, but completely submissive to the invaders, claimed cognizance over the case, inasmuch as the prisoner had been captured within his diocese. Joan was treated throughout, not as a prisoner of war, but as a malefactor of the worst description. After a long and harassing trial, during which she displayed great sense and spirit in her replies to the inquisitors who sat in judgment on her, and after undergoing much cruelty and brutality in her dungeon, she was publicly burnt to death in the square opposite the Church of St. Ouen in Rouen. She expired clasping the crucifix to her heart, and calling to Christ her Saviour for mercy. Her countrymen believed that her spirit was seen to soar from the blazing pyre to Heaven, in the form of a snow-white dove.

The English treat her, not as a prisoner of war, but as a sorceress.

She is tried before an ecclesiastical tribunal.

She is burnt to death at Rouen.

We look with shame and abhorrence on the part taken by our countrymen in this cruel and cowardly murder, but the guilt of Charles VII. and his court is even greater than that of Bedford and the other English chiefs. These last at least really believed that their victim was a sorceress, who had practised hellish arts against them, and from whom they had received disastrous injuries. But the French King, and those around him, believed, or professed to believe, that the Maid of Orleans was a Heaven-sent deliverer. She had rescued Charles from the most abject misery, and given him victory, sovereignty, and dominion. Yet no attempt whatever was made by

the French to ransom Joan, while yet in the hands of her Burgundian captors, nor did they endeavour to save her from the vengeance of the English by an exchange of prisoners, or by threatening reprisals. No baser stain of ingratitude ever sullied a crown, than Charles acquired by his heartless abandonment of the heroine, to whom his crown was almost wholly due.

Increasing difficulties of the English in France.

The martyrdom of the Maid of Orleans did not bring back success to the English. Bedford continued to struggle against the increasing difficulties of his position with ability worthy of a better cause; and such was still the renown of English valour, that the French prudently forebore from engaging in any pitched battles. They made the war one of sieges and surprises, and cavalry skirmishes, in all which the growing enthusiasm of the population for their native King, and their detestation of the English, gave great advantages to the forces of King Charles. In 1435 two events occurred, which made the expulsion of the English only a question of time. One of these was the death of the Duke of Bedford by disease at Rouen. The other was the Duke of Burgundy's abandonment of the English alliance. A congress was held at Arras, in which the Burgundians and French proposed a general peace on the terms that the King of England should hold Normandy and Guienne as fiefs of France, but should withdraw his forces from all other territories in France, and resign all claims to the French crown. The English indignantly rejected these conditions, and determined to continue the war single-handed. But all men, whose political sagacity was not wholly blinded by national pride or party feeling, must have seen the impolicy of prolonging such a contest. And an elaborate report on the best mode of carrying on

Death of the Duke of Bedford; and the Duke of Burgundy's abandonment of his alliance with England.

The English obstinately carry on the war.

Plan of Sir John Fastolf for

CHAP. IX.

1435.

the conduct of the war.

the war, which was drawn up in the same year by Sir John Fastolf, one of the bravest and most experienced among the English commanders, though it professes to approve of the rejection of the terms offered at Arras, shows clearly how vain the English projects of conquest had become.

No more sieges, no more occupations of territory.

Moveable columns of destruction to be employed.

Fastolf strongly recommends that in future all sieges, and all attempts at the permanent occupation of more territory, shall be scrupulously avoided. He advises the formation of two small well-appointed armies, that are to co-operate with each other, and are to be ready for concentration, if necessary, so as to deal with any large force of the enemy. They are to be under the command of "two notable chieftains, discrete, and of one accord." They are to march southwards every year from either Crotoy or Calais, and on entering the enemy's territory they are to extend themselves as widely as possible, consistently with the power of speedy concentration, and then they are to hold forth their way, burning and destroying all the land as they pass, both houses, corn, vines, and all trees that bear fruit for man's sustenance. All cattle that cannot be conveniently driven on with the troops are to be destroyed; and all that may be conveniently driven, and are not wanted as provisions for the soldiers, are to be driven into Normandy, or Paris, or other places, that obey King Henry. No hostile town or district is to exempt itself from this devastation by ransom, or is in any way to be spared or favoured. The two English armies are to keep the field from the 1st of June to the 1st of November in every year, "to the intent to drive the enemies thereby to an extreme famine." The armies are to be well provided with all manner of ordnance for the field, and with hatchets and bills to cut vines and trees with. But

their artillery is not to be used for sieges, operations which Fastolf repeatedly deprecates; saying (with an evident recollection of Orleans) that the late hindrances of the English conquests, and destruction of English forces, have been principally caused by sieges. His reason for being urgent that the English moveable columns of destruction shall be well provided with artillery, is that the English generals will be thereby enabled to prevent the enemy from fighting in bodies of cavalry, and may compel them to fight on foot in the old fashion. The enemy's troops also that are in towns will, by these tactics, be starved out, "so as either to surrender, or come forth and fight on foot, as they were wont to do." He thinks that all atttempts at reprisals may be baffled by carefully garrisoning the towns and strong parts in the provinces where King Henry is acknowledged, and by great vigilance and severity towards the disaffected part of the population. He is anxious that the sea should be well kept, and that for this purpose alliances should be formed with the Venetians and the Genoese.

Such was Fastolf's advice for the future conduct of the war, and it appears, in a merely military point of view, to be sound and prudent. But though campaigns so conducted might gratify the avarice of the soldiers, and the vindictive passions of the English multitude, no statesman could expect that any permanent acquisition of territory or power could accrue upon mere devastations; and many, even in that age, must have been sensible of the barbarity and discredit of such hostilities.*

* Sir John Fastolf's Report (Sept. 1435) upon the management of the wars in France is published in the Chronicles of Great Britain, which are now being edited by order of the Master of the Rolls. It is at p. 575 of the "Wars of the English in France," temp. Henry VI. vol. ii. part 2.

CHAP. IX.

1436-53.

Paris recovered by the French, 1436.

Other successes gained by them.

The war is prolonged to 1453.

Closed then by the defeat and death of "the Hero Talbot" at Castillon.

Length of the last scenes of the struggle:

how caused.

Paris was recovered by the French in 1436; Meaux in 1439; Creil and Pontoise in 1441. Anjou and Maine, with all their towns, were given up by the English in 1448, according to a treaty made on Henry's marriage with Margaret of Anjou in 1445. In 1449 the French attacked the English in Normandy, and recovered that important province with little difficulty. In 1451 they assailed with equal success the ancient English possessions in the west of France. An English expedition was sent out in 1452, under the veteran hero, Talbot, to reconquer Gascony. He at first gained several advantages, but was defeated and killed at Castillon in 1453. This may be regarded as the end of the Great English War in France, which had been begun by Edward III. in 1338. One only of Edward's conquests remained in the hands of the English. This was Calais. All the rest of the conquests of Edward and the Black Prince, of Henry V. and of Bedford, were irreparably lost; and England had lost also every remnant of the ancient continental heritages of her earlier kings. She had clung to the last shreds of her French dominion with obstinate but long hopeless tenacity. The dissensions among the English generals and statesmen since the death of the Regent Bedford had been so violent, and the transfer of the power of Burgundy to the side of Charles VII. had given the French arms such a preponderance, that we are disposed to feel surprised at the last scenes of the struggle having been protracted so long. This was partly due to the great skill and valour which some of the English generals, especially "The Hero Talbot," * continued to display; and

* The contemporaneous French writers call him "Talbot the Hero."—See Robertus Blondell de Reductione Normanniæ, pars 31, et passim. It is edited by Mr. Stevenson, among the Rolls Collection of Chronicles.

partly to the character of Charles VII. himself, who, though capable of temporary efforts, during which he showed daring and energy, and almost always sagacious in his choice of envoys and commanders, sank at times into listless idleness, and suffered, if he did not encourage, the growth and strife of favouritism and faction in his Court. France was indebted to him towards the close of the war for an institution, to which she owed much of her final success, and which was an important engine for the maintenance of order and royal authority amid the turbulence of feudal chiefs and their retainers. This was the organisation of a body of infantry regularly armed and disciplined.*

Within two years from the battle of Castillon (July 23, 1453), the last in the great French war, came the battle of St. Albans (May 23, 1455), the first in the great civil war between the Houses of York and Lancaster, for the English Crown. The contest raged long with varying success before a king of the House of York was actually crowned; but its commencement marks out a distinct period in our history; and, before we address ourselves to the personal careers and characters of the chief personages in the War of the Roses, we may conveniently pause to consider what was the progress of our constitution during the Lancastrian reigns.

Constitutional history during Lancastrian reigns.

The power and influence of Parliament increased greatly under the Princes of this dynasty. Parliaments were held almost every year; no taxes were levied or payments imposed on the people, except with

* Robert Blondell speaks of the new French infantry as most useful to the State, and as especially serviceable in coping with the English archers. He says, "Illud horum bellatorum predictum genus reipublicæ salutiferum, et in rusticos Angliæ sagittarios necessarium, in quibus Angliæ ducum maxima victoriæ spes est, Rex Carolus prudenter primus erigit."—Robertus Blondell de Reductione Normanniæ, p. 48; Stevenson's Rolls edit.

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Increased power of Parliament.

parliamentary sanction; the necessary concurrence of the Commons in general legislation was fully recognised; and the opinion of Parliament was frequently taken on important measures of administration, including questions of peace or war with foreign powers. But, while the power of Parliament was thus matured and strengthened, the number of those who participated in parliamentary power, that is to say, the number of Electors of Members of the House of Commons was very materially diminished. The great disfranchising statute, as to county electors, was passed in the 8th year of Henry VI. It recites that elections of knights of the shire had of late been made by very great, outrageous, and excessive numbers of people dwelling within the same counties, of the which most part was of people of small substance, "and of no value, whereof every of them pretended to have a voice equivalent as to such elections to be made with the more worthy knights and esquires dwelling within the same counties." This recital is very strong evidence of the democratic character of the old county elections: and this is further proved by the statute 7 Henry IV. c. 15, which, while guarding against the malpractices of the sheriffs in conducting county elections, expressly recognised the right of all who were present at the County Court, "as well suitors duly summoned for that cause as others, to enter upon the election of knights, without intimidation, and without being subject to corrupt influences." But the statute of Henry VI. limited the right of voting to those persons only, who had free land or tenement to the value of forty shillings by the year at least, above all charges. This was a very severe measure of disfranchisement. It excluded from the right to vote, among others, the lease-

Diminished number of electors.

The statute of 8 Henry VI., limiting the right of voting for knights of the shire to 40 shilling freeholders.

Large number of country voters before this time.

holders and the copyholders; and there is reason to believe that the number of these classes was becoming considerable. The number also of poorer freehold tenants, who were disfranchised by the 8th Henry VI., must have been large, as 40 shillings in that age were equal, in purchasing power, to at least £20 of our money at the present time. Still, even after all the reductions, the number of forty shilling freeholders, who retained the right of voting, was considerable; if we may trust the boasts of Lord Chancellor Fortescue, in his book, "De Laudibus Angliæ," written towards the close of Henry VI.'s reign, respecting the abundance of substantial freeholders in every English county.

Number of county voters still considerable.

A supplemental statute, passed in the 10th year of Henry VI., required that the freehold in respect of which the elector voted, should be situate within the county. This condition has been observed; but other restrictive rules, by which the legislators of that period sought to exclude from the right to vote all, who did not reside within the county, and to limit also those, who were eligible as members, fell into speedy neglect, and have long been practically inoperative. A statute passed in the 1st year of the reign of Henry V. had required that knights of the shire should not be chosen, unless resident within the shire, and that the choosers of knights of the shire should be resident within the shire. It ordained also that all citizens and burgesses of cities and boroughs should be citizens and burgesses resident, dwelling, and free in the same, and no "other person." This enactment was little, if at all observed; and the statute of 8 Henry VI. equally vainly repeated the direction as to county voters, that the electors should be people dwelling and resident in the county. A statute passed in the 23rd year of this reign went still further in endeavouring

Statute as to locality of freeholds, and residence of voters and members.

Stat. 23 Henry VI. attempts to

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create a noblesse in England.

to narrow the class eligible to serve in Parliament. That statute required that knights of the shires for Parliament "shall be notable knights of the same counties for which they shall be chosen, or otherwise such notable esquires, *gentlemen born*,* of the same counties as shall be able to be knights; and no man to be such knight as standeth in the degree of a yeoman or under." If this statute had been enforced, it would not only have instituted a property qualification for county members, but it would, by recognising "gentlemen born" as superior in the eye of the law to ordinary freemen, have done much to found a caste, a noblesse in England, and to destroy that equality of civic right which has so often been pointed out as England's peculiar blessing.†

Narrowing of the class that held political power in cities and boroughs.

No limitation of the electoral franchise in cities and boroughs was made by means of general parliamentary enactments; but we have abundant proof that the statesmen, who conducted the Government in Henry VI.'s name, followed a subtle and systematic policy, which very much narrowed the numbers of the residents in towns, who were allowed to take part in municipal government, and to vote as burgesses in the choice of representatives in the House of Commons. Before this reign, every freeman, who became a householder in a borough, and who could pay scot and lot (that is, who could pay his share of the local taxes, and take his turn of local offices) was enrolled, as a matter of right, among the burgesses of the place. The boroughs were not then incorporated: but, in the 18th year of Henry VI.'s reign, a royal charter of incorporation was given to

Democratic character of the old boroughs.

* Gentils homes del nativité.

† See as to this isonomia of English freemen, Hallam's Middle Ages, vol. ii. p. 343.

Hull; and similar charters were soon afterwards granted to other places. Sometimes these charters contained clauses giving exclusive power to the officers of the corporation, or to a designated small number of members. Generally speaking, the Mayor, or some leading individual among the corporation, had the custody of the corporate seal, by which alone the borough, as a corporate body, could act. This gave facilities for monopolising authority, and for selecting convenient individuals only as burgesses. The courts of law favoured the doctrine of incorporation; and, in process of time, when no charter for incorporation for a borough could be found, a legal presumption that a lost charter once existed, was suggested and ultimately maintained.* This new system grew up only by degrees, and many boroughs retained their full democratic franchise to the last. But the changes introduced by Henry VI.'s statesmen were sufficient, even in the age when they were made, to further materially their policy of ruling arbitrarily by means of Parliaments;—that is to say, of so influencing and managing parliamentary elections, as to make Parliaments the instruments of the royal, or rather of the ministerial will.

Change made by the grant of charters of incorporation.

Such seems to have been the design of Henry's statesmen at that period, though none of them fully realised it, or succeeded in acquiring a firm ascendancy over his rivals. The strife of favourites and factions continued to rage in Parliament, as well as in the council chamber; displaying itself also in frequent brawls and combats between the armed retainers of the party-leaders, and at last breaking out into open civil war. A prince more unsuited for such a time than Henry VI. could hardly have existed. His very

Strife of parties during the early years of Henry VI.

Henry VI. unsuited for his age.

* See on this important subject the learned work on Corporations, by the late Serjeant Merewether, and Mr. Archibald John Stevens.

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virtues (and he had many) told against him: and the facility with which he was guided, when a man, by the stronger and coarser spirits around him, prolonged throughout his reign much of the natural weakness of his early years. He was not a year old at the time of his father's death. The proceedings of the English Parliament as to the appointment of a Regent at this time deserve attention. A Council of the principal peers of the realm issued commissions in the infant King's name, by which the judicial and other authorities were empowered to continue the exercise of their respective faculties, and by which a Parliament was summoned, and the Duke of Gloucester authorised to act as Royal Commissioner. When the Parliament met, both Houses resolved that no one could have any right to claim the Regency, either by proximity of blood, or under the late King's will; and a statute was passed, by which the Duke of Bedford was made Regent, and the Duke of Gloucester appointed Protector of England in Bedford's absence. All legal forms were scrupulously observed; all the commissions, proclamations, and other acts of state were in the infant King's name, and purported to have the royal sanction. Gloucester attempted to make himself effective ruler of England; but he met with the greatest opposition from the family of the Beauforts, of which the King's great uncle, Cardinal Beaufort, was chief. The Cardinal was Gloucester's superior in talent and self-control, and his equal in ambition and vindictiveness. The Cardinal's chief supporter in the Council was a churchman of great ability, John Stafford, keeper of the privy seal at the time of Henry V.'s death, who was made Bishop of Bath and Wells in 1425, and Archbishop of Canterbury in 1443. William De la Pole, Earl of Suffolk, was also a zealous adherent of

Appointment of a regent at the beginning of Henry's reign.

Gloucester's party, and the Beaufort party.

the Cardinal, and, after the Cardinal's death in 1447, Suffolk and Edmund Beaufort (who was made Duke of Somerset in 1444) became the leaders of the party.

The Duke of York obtains much power.

On the other side the Duke of Gloucester brought forward for high employment Richard Plantagenet, the lineal representative of Lionel, Duke of Clarence, who was the third son of Edward III., and senior to John of Gaunt, from whom Henry IV., Henry V., and Henry VI. were descended. Richard Plantagenet's father was the Earl of Cambridge, who was put to death on the charge of conspiracy against Henry V., immediately before the invasion of France in 1415. The Earl of Cambridge was of the blood royal of England; but Richard Plantagenet's hereditary claim to the throne was through his mother Anne, who was, through three descents, heir to Edward III. Young Richard was relieved from the effects of his father's attainder for treason, and obtained the titles and estates of his late uncles the Duke of York and the Earl of March, in 1425. He showed great courage and ability in the French wars; but the constant dissensions between him and other English commanders, who were of the Beaufort party, marred all his operations against the enemy.

Character of Henry VI.

Meanwhile the young King Henry was growing up a pure-hearted, earnest Christian gentleman; a ripe scholar, and a zealous admirer and liberal promoter of education and science.* But he had neither fondness

* The words used by him in his grant of a coat of arms to his royal foundation of Eton College deserve to be cited. He enunciates the enlightened maxim that "If men are ennobled on account of ancient hereditary wealth, much more is he to be preferred, and to be styled truly noble, who is rich in the treasures of the sciences and wisdom, and is also found diligent in his duty towards God. (Nam si inveteratæ et per genus ductæ divitiæ nobiles faciunt, multo præstantior est et verè dicendus nobilis, qui in scientiarum thesauris et prudentiæ locuples, necnon in divinis obsequiis diligens invenitur.) The deed is to be read in Bentley's Excerpta Historica.

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nor aptitude for knightly accomplishments and feats of arms; he was deficient in sagacity for perceiving the true characters of those who sought his favour, and who used the influence of his royal name. Infirm of purpose, sensitively scrupulous as to means, and compassionate even to neglect of justice, he was altogether unfitted to struggle with the strong hard-heartedness of the world and age, in which he was enthroned.

The Beauforts form a peace-party.

The Beaufort party saw early the hopelessness of completing the conquest of France, and were desirous to terminate the war. So far, their superiority to the English war-party, as politicians and patriots, is manifest; but a true Englishman and true statesman would, while looking for opportunities of concluding an honourable peace, have so conducted the war, as to maintain his country's credit unimpaired, and not to allow the enemy to gain repeated advantages, which were sure to make the terms of peace more and more disadvantageous to England. This last, however, was the system, on which the Cardinal, and still more notably Suffolk and Somerset acted, chiefly through their malignant animosity against Gloucester and York, who sought popularity among the English multitude by advocating the continuance of the war. As Henry grew towards manhood, the Beauforts saw how much additional influence they would gain over him by giving him a wife of their own selection, who would regard them as the authors of her greatness, and side with them against their rivals in the state. They accordingly negotiated a marriage between Henry and Margaret of Anjou, a young and beautiful princess, nearly related to the royal family of France. Her father was styled King Renè, and he bore the titles of Sovereign of Sicily, Naples, and Jerusalem. In reality, he was a landless and powerless adventurer. So eager

Gloucester and York head the war-party.

Henry's marriage with Margaret of Anjou.

were the Beauforts and Suffolk to conclude this marriage, that they agreed to give up the provinces of Anjou and Maine, which the English forces at that time still held. Renè was titular Duke of these provinces, but he had no more ownership of them than of his kingdom of Jerusalem. The occupation of them by the French gave Charles VII. formidable means for attacking Normandy; and the English nation generally regarded Henry VI.'s marriage treaty as a base surrender of English interests. The Duke of Suffolk (he had been raised in the peerage, and had received numerous high state-offices after the royal marriage) was the especial object of the people's hatred; but the Queen also became speedily unpopular as "the outlandish woman," for whose sake and by whose influence the conquests of Henry V. were sacrificed, and the power and pride of England's natural enemies were exalted. The ascendancy, which Margaret acquired over her gentle husband, was soon notorious, and increased the national animosity against her, and her favourites Suffolk and Somerset; while Henry VI. himself was regarded with contemptuous compassion.*

Its unpopularity in England.

Animosity of the people against Suffolk.

The Queen unpopular.

The Duke of Gloucester died on the 11th of February, 1447, under circumstances, that made his partisans and friends assert and believe that he had been murdered by his political enemies. The truth seems to be that he died a natural death; † but the

Death of the Duke of Gloucester, 1447;

* The songs that were current at this period, and during the early part of the subsequent Civil War, are strong evidence of the popular feeling on this subject. Mr. Wright has published many of them in the second volume of "The Political Songs of England," in the Rolls Collection. See, in particular, "A warning to King Henry," p. 229. It seems to have been written a little before 1450. After several English stanzas comes the following significant Latin distich:—

Oh Rex, si regnas, rege te, vel eris sine re rex.
Nomen habes sine re, te nisi rite regas.

† See the remarks of Dr. Lingard on this in his note to vol. v. p. 161, of

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report of his murder gained credit at the time, and added to the popular animosity against the Beauforts and Queen Margaret. Gloucester's great adversary, Cardinal Beaufort, died on the 11th of April following. The Duke of Suffolk was now, under Queen Margaret, chief Governor of England; Archbishop Stafford and Somerset being his principal coadjutors. In 1449 the Duke of York was sent to Ireland as Lieutenant. This removal from England of his principal rival seemed to strengthen Suffolk; but it gave York opportunities of ingratiating himself with the Irish, of which he skilfully took advantage, and which proved afterwards of great service to him and his family.

and of Cardinal Beaufort.

Power of the Duke of Suffolk.

Duke of York sent to Ireland.

Even while the Duke of York was absent in Ireland, revolutionary movements began in England, which, though nominally directed against the King's ministers only, gave ominous proof that Henry's title was talked of as questionable; and that men's minds were becoming familiarised with the idea of the crown being given back to the rightful heir, who was moreover a valiant soldier and a true-hearted Englishman.

Tumults and insurrections in England.

In January, 1450, the Bishop of Chichester, who had been one of the commissioners employed in negotiating the King's marriage, was murdered in a popular rising in Hampshire. Soon afterwards the enemies of the Duke of Suffolk were sufficiently strong in the House of Commons to venture upon his impeachment. The proceedings on this impeachment were peculiar. The Duke, when charged in the House of Lords in the King's presence, instead of claiming to be tried by his peers, protested his innocence, but threw himself without reserve on the King's will. The Chancellor, Cardinal Kempe, then addressed him as follows:—"Sir,

Suffolk impeached.

his history, and see Lord Brougham's England and France under the House of Lancaster, p. 419.

since you do not put yourself on your peerage for trial, the King will not hold you either guilty or innocent of the treasons, with which you have been charged; but as one, to whose control you have voluntarily submitted, (not as a Judge advised by the Lords) he commands you to quit this land before the 1st of May, and forbids you ever to set your foot during the five next years on his dominions, either in this kingdom or beyond the sea." Such a sentence, or any sentence at all, if pronounced by the sole authority of the King, was clearly illegal; and the Lords present made a solemn protest that this act had been without their concurrence, and was to form no precedent for depriving any peer of his lawful rights. It has been thought, with good reason, that this irregular sentence of banishment was pronounced with the concurrence of both the friends and the enemies of Suffolk, who, however, designed it for very different results. The Queen's party may have hoped that the temporary withdrawal of the Duke from England would allay the violence of the national hatred against him, and that there would soon be an opportunity for bringing him back in full power as well as favour. The Duke's enemies, on the other side, are supposed to have formed beforehand the resolution that he should never cross the seas alive, and to have planned his detention and destruction on the passage. Men of power and influence certainly had been engaged in the design for Suffolk's death. A ship of the royal navy stopped the vessel in which the Duke had embarked. After a mock trial before the sailors, he was condemned to suffer death as a traitor, and beheaded in a small boat at the ship's side, off Dover. Who were the promoters of this act of bloodshed is unknown; but there seems to be no reason to impute any of the

Irregular sentence of banishment.

Suffolk put to death at sea off Dover.

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guilt to the Duke of York, who was in Ireland at the time, and who never showed a ferocious or cruel disposition.

The Queen's threats against the men of Kent.

It was believed at the English Court that the murderers of the Duke had been aided and favoured by the people of Kent; and Queen Margaret threatened exemplary vengeance on the disloyal county.

Cade's insurrection.

The Kentishmen now rose in open insurrection. They were joined by great numbers from the neighbouring county of Sussex; and men from Surrey, Essex, and Suffolk also took part in this very formidable rising against the Government. It was headed by a man named John Cade, who assumed the name of Mortimer, and pretended to be a cousin of the Duke of York. Scarcely any other event in the history of these ages has been more inaccurately described by the authors, from whom most readers draw their opinions. Even Hall, the chronicler, who wrote within a century from Cade's death, gives a very erroneous account of this rebellion; and later chroniclers and most modern historians have followed him. But, above all, the scenes in our national drama, where Jack Cade and his followers are introduced, have stamped on our memories a vivid and almost indelible idea of a rabble of the lowest ruffians raked together from the Kentish towns, headed by a mere vagabond common soldier, and blindly raging for the slaughter and pillage of the upper classes. But the careful search among State records and other documentary evidence, which has lately been instituted,* proves conclusively that Cade's

Its importance generally underrated.

It was an organized rising of the middle as well as

* See the very valuable researches of Mr. Durrant Cooper in the Patent Roll of 28th Henry VI. and other documentary sources of original information. They are entitled "John Cade's followers in Kent," and "Participation of Sussex in Cade's rising." They were written for county archæological meetings, and have been separately reprinted. The Patent Rolls contain lists of the Kentish and Sussex followers of Cade, to

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Rebellion was a deliberate and organised rising, in which the middle classes of two counties at least largely participated, and which was joined by considerable numbers of the gentry. It seems certain that Cade himself was a military adventurer, and he must have possessed considerable ability. He acted as a mere impostor in taking the name of Mortimer. In one of the Royal proclamations against him he is said to have been born in Ireland. He had probably served in that country, under the Duke of York; and he may have learned there the Duke's hereditary claim to the throne, and have heard of the wrongs done to the Duke by his rivals in the English Court. But there is no proof that Cade, when he headed the Kentish insurgents, was acting at the Duke of York's instigation.

of the lower classes of Kent and Sussex, joined by many of the gentry.

Cade assumes the name of Mortimer.

No proof that the Duke of York instigated Cade.

1450. May 24—June 1.

The Kentish men rise, and advance to Blackheath.

Cade is "The Captain of Kent."

The armed gathering of the Kentishmen, to the number of 20,000, began in Whitsun week. Cade was then at their head, and he assumed the title of Captain of Kent. They advanced to Blackheath, where they encamped on the 1st of June. They sent their demands on the Government in two papers, one entitled "The Complaints of the Commons of Kent," and the other "The Requests by the Captain of the Great Assembly in Kent." They complain of (among other things) the

Their demands on the Government.

whom pardons were granted. They give the names and descriptions of most of the pardoned individuals. There are among them 1 knight, 18 esquires, and 74 gentlemen of Kent. The names of the yeomen are very numerous; and there are a great number and variety of tradesmen. Five of the Kentish clergy were with Cade's army. The list of the Sussex men shows several gentlemen, many yeomen and tradesmen, and two clergymen. It is evident also that the Abbot of Battle and the Prior of Lewes had encouraged the rising. Pardon is expressly granted to these two ecclesiastical dignitaries respectively, and "to the convents of the same, and to all the men and servants of the same priory or convent." In some cases the pardon is granted to towns by name, and to the constables of specified parishes and hundreds. It would appear, hence, that at those places there had been a regular military array by the local authorities of the men fit to bear arms.

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waste of the royal revenues by the King's courtiers and servants, and of the extortions practised upon the Commons. They ask for the recall of the Duke of York and other true lords to the King's Court, and for the dismissal of the false traitors by whose means the realm of France had been lost. Nothing is said about villeinage; but a repeal of the Statute of Labourers is demanded. The most remarkable among their complaints is one, which alleges that "The people of the said shire of Kent are not allowed to have their free election in the choosing of knights of the shire, but letters have been sent from divers estates to the great rulers of all the country, the which enforceth their tenants and other people by force to choose other persons than the common will is."

The complaint of interference with the freedom of election, and of the coercion of voters.

This petition gives remarkable proof of, 1st, the attempted policy of Henry VI.'s statesmen to rule by means of packed Parliaments, which has been already mentioned; 2ndly, of the value which the people then attached to the parliamentary franchise, and to liberty of election; and, 3rdly, it proves the social station and the intelligence of the men, who made up "the Great Assembly of Kent," and who were led by Cade.

Several messages passed between the King's ministers, who were in London, and the camp on Blackheath. Eventually the Privy Council refused to accept from the Kentish commons their Bills of Petition. The Government had in the meanwhile collected an armed force between 15,000 and 20,000 strong. The King was brought to London, and placed by his ministers at the head, nominally, of this army, which was commanded by Sir Humphrey Stafford and his brother. On the 11th of June the royal army marched out of London to attack the rebels at Blackheath; but Cade retreated before them to Sevenoaks, where he received

The King's council refuse to entertain the petitions.

They collect an army.

Cade retreats to Sevenoaks.

large reinforcements, consisting probably in part of his Sussex contingents. On the retreat of Cade, King Henry and a large part of the royal forces marched back to London, where the troops were disbanded; and the King retired to his castle at Kenilworth. Sir Humphrey Stafford, with part of the royal forces, pursued the retreating insurgents; but at Sevenoaks Cade turned on him, and defeated the royalists in an action, in which Sir Humphrey Stafford and his brother were killed.

Cade defeats the Royalists.

Cade's force was now largely increased; and at the end of June he made a second march to Blackheath, and on the 1st of July he took possession of Southwark.

Marches again to Blackheath.

Occupies Southwark.

The Archbishops of Canterbury and York, Waynflete the Bishop of Winchester, and the Lords Say and Scales were the King's chief ministers who had remained in London. They had no force sufficient to encounter the insurgent army. Lord Scales garrisoned the Tower with the few troops that were available. The civic authorities determined not to resist the entrance of Cade into London; and in the afternoon of July the 3rd, Cade led his men in regular military order across the bridge into the city. He was joined there by a considerable force from Essex, which had camped at Mile-end. He preserved strict discipline and order, and in the evening he withdrew his followers from the city back to Southwark. On the next day Cade again occupied London. He got into his power Lord Say, a nobleman, against whom the popular ire had been greatly excited as a chief accomplice of the Duke of Suffolk in that minister's misdeeds. Cade compelled the mayor and the judicial authorities of the city to hold a sitting in the Guildhall. He brought Lord Say and his son-in-law, Cromer, before

The King's ministers in London.

The Londoners refuse to resist Cade.

He enters the city.

Forces from Essex join him.

Strict order preserved at first.

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this court; and had bills of indictment found against them, and against several unpopular persons who were absent. Lord Say pleaded in vain his privilege of peerage. He and Cromer were hurried off to the Standard at Chepe, and were there beheaded. Some of Cade's followers now began to plunder shops and houses. The citizens, alarmed for the safety of their own lives and properties, determined with the aid of Lord Scales and his soldiers from the Tower to occupy London Bridge after the insurgents retired to Southwark at night, and to exclude them from re-entering the city in the morning. Cade heard during the night of these preparations of the royalists; and instantly sent a party of his men to occupy and secure the bridge. They encountered on the bridge the advanced guard of Lord Scales and the Londoners. A desperate fight ensued. Each side was reinforced; and the struggle continued with several alternations of success throughout the rest of the night, and for some hours of the following morning. At last the combatants suspended the battle through sheer fatigue. The prelates, who had been in the Tower, now opened negotiations. The Bishop of Winchester and others of the royal council crossed over to Southwark, and had a conference with Cade in St. Margaret's Church. Cade insisted that the Petitions, which the Privy Council had refused to entertain, should now be received and considered. This was agreed to: and then came the subject of a royal grant of pardon to all who had taken part in the rising. It was agreed that the royal pardon should be given; and the Archbishop of York (who was Chancellor at the time) drew up grants of pardon, which specify in a very great number of instances the name, residence, and occupation of each individual. The entries of these pardons on the Patent Roll are

He beheads Lord Say.

Some of Cade's men begin to plunder.

The Londoners and the King's troops combine against Cade.

Sharp fight on London Bridge.

Negociations held in St. Margaret's Church.

The petitions are received.

Charters of pardon prepared.

still in existence ; and they prove conclusively the inaccuracy of the common account, that the prelates brought from the Tower a general pardon ready drawn in behalf of all offenders, and that Cade's followers on hearing of this pardon gladly deserted him. The pardons are prepared with great care and attention to detail. In general a separate pardon was issued for each hundred or parish ; and it is plausibly conjectured that Cade, at the end of the negotiations, handed in the muster-rolls of his forces, as materials whence the names and other particulars were inserted in the pardons.*

When these pardons under the Royal Seal had been issued, the greater part of the insurgents returned to their homes. Cade ineffectually endeavoured to retain them, by urging on them that the pardons could not be relied on until they were sanctioned by Act of Parliament. He probably knew how the charters granted in King Richard's time had been soon proclaimed to be null and void. But only a few of his late adherents now obeyed him ; and he was not strong enough to renew the struggle for the occupation of London. He retreated to Rochester, and was soon afterwards defeated in an attack which he made on Queenborough Castle. His followers now began to quarrel among themselves for the plunder which they were carrying with them. About the 11th of July Cade saw that his position was desperate, and fled in disguise into Sussex. Alexander Iden, the sheriff of Kent, with an armed force, pursued him, and came up with him, and slew him at Heathfield. On the 15th of July Cade's dead

Cade unable to keep his forces together.

He retreats to Rochester.

Repulsed from Queenborough Castle.

He flies into Sussex.

Is pursued and killed.

* These pardons are fully described, and portions of them are set out, in Mr. Durrant Cooper's two historical tracts, mentioned in a preceding note. Mr. Durrant Cooper points out that the narrative given by the old chronicler, William Wyrcester, is far better supported by the documentary evidence than the account found in Holinshed and others.

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body was brought into London, and exhibited to the Royal Council. The King ordered a liberal reward to be given to Iden, not out of the royal treasury, but out of the plunder which the rebels had collected, and which the King's officers had now taken from them.

It appears that one of Cade's principal officers caused afterwards fresh tumults in various parts of Kent, with the view of causing a new insurrection. It is observable that this man, Robert Poynings, Esquire, as he is styled in the records, who had been Cade's carver and sword bearer, was a man of high position, and uncle of the Countess of Northumberland.*

Influence and unpopularity of the Duke of Somerset.

These commotions, however, were the mere tumultuous throes of "the great sea, fore-feeling winds" before the outburst of the decided storm of civil war. The Duke of Somerset, who had lately commanded in France, and to whose misconduct the loss of the last English possessions was imputed, returned to England in the autumn of 1450, and assumed the place lately held by Suffolk in the royal councils, with equal court-favour, and with equal national unpopularity.

The Duke of York returns from Ireland.

The Duke of York in the same year left his Irish government, and headed the powerful opposition, which Somerset had to encounter in the English Parliament.

Troops raised on both sides.

After many scenes of strife and violence, the Duke of York, in 1452, collected an armed force; and while he protested the utmost loyalty to King Henry, he complained of his enemy's designs against his own personal safety, and demanded that the Duke of Somerset should be brought to trial. The King's party also raised troops, but negotiations were opened, in the course of which Henry ordered the arrest and trial of Somerset.

York decoyed into his enemy's power.

York now disbanded his troops, and presented himself in King Henry's tent, unarmed and

* John Cade's followers in Kent, p. 11.

bareheaded. There he was encountered by the Duke of Somerset, who had been released from his mock confinement, and who now prevailed on the King to order the arrest of York. Somerset urged that York should be forthwith tried and executed as a traitor, but Henry would not sanction such perfidy and cruelty. The Duke was offered his liberty on condition of solemnly and publicly swearing fealty to King Henry; York took the oath, and was allowed to return to his castle at Wigmore.

Released by Henry's order.

Not long after these events, Henry was visited by a severe malady, that affected both mind and body, and for a period of nearly a year and a half he remained in a state of absolute incapacity. The Duke of York's friends in the Parliament were too numerous and powerful, and his general popularity too great, to make it possible for his enemies to exclude him any longer from the government. The great seal was affixed to a commission, which purported to give the Duke of York the King's sanction for holding the Parliament. A committee of peers visited the King, and reported his incapacity, and the Parliament then appointed the Duke Protector of the realm. York procured the dismissal of Somerset from office, and sent him on a charge of treason to the Tower, where he was detained without trial until released in consequence of Henry's recovery in 1455.

Henry becomes imbecile.

York Protector, Feb. 14, 1454.

Soon after the commencement of this visitation of illness, Henry's ill-fated son, Edward Plantagenet, had been born. The first gleam of restored intellect, which the afflicted King showed, was caused by the sight of his little child, when about fifteen months old. In the simple words of the old chronicler: "On the Monday afternoon the Queen came to him, and brought my lord prince with her, and then he asked what the

Birth of Prince Edward, Oct. 13, 1453.

Henry's recovery, 1455.

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prince's name was, and the Queen told him Edward; and then he held up his hands and thanked God thereof. And he said he never knew till that time, nor wist not what was said to him, nor wist not where he had been, whilst he had been sick, till now."

Renewed struggle between York and Somerset.

With Henry's restoration to health, the Duke of York's authority as Protector terminated; Somerset was released, and restored to power, and open warfare soon commenced. The birth of Henry's son and heir had naturally been hailed with exultation by all who hated the Duke of York; but it was probably the event that did most to bring the Yorkist and the Lancastrian claims to the arbitrament of battle. While Henry was childless, the Duke was his next of kin, and stood next in succession to the throne, even if the validity of Henry's title was admitted. But Prince Edward's birth seemed to doom Richard of York and his house for ever to the obscurity of a private station, unless an effort were made to win the crown by force. Moreover, the rancour of Queen Margaret and her partisans against the Duke grew continually fiercer, as he became suspected. He seems to have had, to a great extent, the excuse—too common in all revolutionary times—that his only choice lay between inflicting and suffering violence. Worse men, if not bolder men, than himself, were at his side, and urged him forward; and finally, after various scenes of intrigue and tumult, the civil war of the Roses* began in May, 1455. Thirteen pitched battles were fought in that war: and there was one battle in that war, in which more Englishmen perished, than had fallen in the field during the whole of the warfare in France for the preceding forty years.

* So called from the Red Rose being taken as the badge of the Lancastrians, and the White Rose as the badge of the Yorkists.

1455.

First battle of St. Albans.

Queen Margaret and the chief nobles of the Queen's party collected in that month a small armed force in the town of St. Albans, against which the Duke of York advanced with three thousand men, having among his supporters the Duke of Norfolk and the Earls of Salisbury and Warwick. He demanded that Somerset and certain others should be delivered up to him as prisoners; all disloyalty to King Henry, if this were done, was disclaimed. Henry, however meek and gentle, was wholly free from any taint of meanness or personal cowardice. He nobly answered that "sooner than abandon any of the lords who were faithful to him, he was ready that day in their quarrel to live and die." The Yorkists then assaulted the town, and after a short but sharp conflict, were completely successful. The number of the slain was small; but it included the Duke of Somerset, and the Earls of Northumberland and Clifford, who had been zealous adherents of Queen Margaret, and whose sons (especially the young Lord Clifford) devoted themselves to uphold the same cause, and were implacable in their vindictiveness against the Yorkists.

Victory of the Yorkists.

Somerset slain.

Moderation of the Duke of York.

The Duke of York appears to have been satisfied for the time with the death of his great enemy, Somerset. He showed, after the battle, great respect to Henry, who had been wounded by an arrow during the fighting in the streets of St. Albans, and had been taken prisoner. A Parliament was assembled on the 1st of July following, at which the Yorkists produced a formal statement of the grounds of national complaint against the Duke of Somerset, on whom the whole blame of the late encounter at St. Albans was thrown. A general amnesty was granted. A recurrence of the King's malady, in the end of the year, caused the re-appointment of York as Protector; but, in Feb., 1456, Henry

Henry's malady returns.

York again Protector.

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1456-1459.

Henry recovers again.

Attempt of the King to reconcile the contending parties.

Attempt by the Queen's party to arrest the Earl of Warwick.

Warwick and the Duke of York raise troops.

Warwick defeats the Lancastrians at Blore Heath.

Meeting of the main hostile powers at Ludlow.

The Duke's army disbands without fighting.

He escapes to Ireland, Warwick to Calais.

Unwise and vindictive

was declared to have recovered, and York's second protectorate ended. Queen Margaret now brought into power Henry Beaufort, the son and successor of the Duke of Somerset, who had fallen at St. Albans. The old feuds were renewed; and a seemingly successful attempt of King Henry, aided by Kempe, the new Archbishop of Canterbury, and Waynflete, Bishop of Winchester, to effect a solemn and sincere reconciliation between the contending parties, proved short-lived in its effects. The Queen's party made an attempt to send York's great adherent, the Earl of Warwick, to the Tower; on which Warwick and his father, the Earl of Salisbury, betook themselves to their estates, and collected an armed force for their defence. The Duke of York also withdrew from London and raised troops; and Warwick, while on his march to join the Duke, encountered at Blore Heath, in Staffordshire, on the 23rd of August, 1459, the Lord Audley, who was at the head of an army on the Queen's side. A conflict ensued, in which Warwick gained a complete victory; and Lord Audley was slain. The Earls of Salisbury and Warwick now concentrated their levies with those of the Duke of York at Ludlow. On the other side, Queen Margaret advanced with the full force of the Lancastrians; and a great battle seemed imminent, when suddenly Sir John Trollope, who commanded a large body of the Yorkists, deserted with all his men; a pardon in King Henry's name was offered to the rest of the Duke's soldiery, and his army rapidly disbanded. Warwick and Salisbury fled to Calais, of which Warwick was Governor. The Duke of York found shelter in Ireland, where he had won the hearts of the people during his lieutenancy. The Queen now seemed to have crushed her enemies; and she used her success with almost insane vindictiveness, which can be pal-

liated only by supposing that she was goaded by calumnies respecting the legitimacy of her child, whose right of succession she believed the Yorkists were about to dispute. A Parliament of her adherents was held at Coventry, in which an act of attainder was passed against the Duke of York, and his wife, and his two elder sons, against the Earl and Countess of Salisbury, the Earl of Warwick, and other chiefs of the Yorkist party. The natural effect of this was to make the condemned but yet uncaptured Yorkists desperate and merciless; and the exulting Lancastrians soon experienced the truth of the ancient saying, that those, who initiate bloodshedding and cruelty in civil dissension, prepare the way for bloodier retaliations, and put themselves out of the pale of those common laws of humanity, to which all parties in the season of their reverses would alike gladly appeal. By the mid-summer of the following year, the great Yorkist earls had returned from Calais, and had landed in Kent, where they were enthusiastically received by the population, whose ancient disaffection to Henry's Government had been exasperated during the preceding autumn by arbitrary imposts, which the Queen's Government had forcibly levied. Bouchier, the Archbishop of Canterbury, zealously aided the Yorkist leaders; and on the 2nd of July they entered London at the head of a large army, which the Kentish archers and other friends had gradually formed round the force which sailed from Calais. Edward, the young Earl of March, the Duke of York's eldest son, who was on the list of those whom the Lancastrians at Coventry had proscribed, was with them. The Duke of York himself was known to be on his way with troops from Ireland; but, without waiting for his arrival, Warwick marched northward at once to encounter the Lancas-

measures of Queen Margaret.

Warwick lands in Kent; is joined by the population and Archbishop Bouchier.

The Yorkists enter London.

Young Edward is with them.

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1460.

Battle of Northampton.

Warwick victorious.

The Duke of York claims the Crown.

Henry's answer.

Opinions on the rival claims.

trians, who were commanded by the Duke of Buckingham, as Queen Margaret's general. The armies met on July 10 at Northampton. The Yorkists gained a complete victory. The Duke of Buckingham fell in the action. Queen Margaret and her son fled to Scotland; and King Henry was again left a prisoner in the hands of his enemies. A Parliament was assembled at Westminster; and the Duke of York, who returned from Ireland about three months after the battle of Northampton, now personally claimed the Crown before the assembled Lords of Parliament. Henry's answer to this claim was manly and sensible. His words to the Lords were: "My father was King: his father also was King: I have worn the Crown forty years from my cradle: you have all sworn fealty to me as your sovereign, and your fathers have done the like to my fathers. How then can my right be disputed?" The highest modern constitutional authority* has pronounced that Henry's right to the throne was unquestionable. But many in that age, and long afterwards, thought differently. To some the deposition of Richard II. seemed to be altogether unlawful; some, who allowed that Richard himself had been justly deposed, or might be deemed to have abdicated, considered that the rights of lawful heirs could not be thereby prejudiced. And many, who held that the transfer of the Crown from its hereditary possessor to Henry of Bolingbroke, in 1399, was justifiable for the sake of the public good, might doubt whether a re-transfer of it from Bolingbroke's heir, in 1460, was not justifiable for the same reason. No one would class the pious and gentle King Henry with a sovereign so much stained with vice and crime as Richard II.; but all felt that Queen Margaret and her favourites

* Hallam, Middle Ages, vol. iii. p. 195.

were the real rulers of England, and were likely to be so for so long as King Henry survived, or during the minority of young Prince Edward. Under their administration there had been defeat and disgrace abroad, with misrule and disorder at home. Many must have wished to change such a state of things by recurring to the ancient line, now that its representative was a Prince valiant in war, sage in council, and free from harshness and cruelty, as Richard of York had proved himself. Still, the shame of breaking their oft-repeated oaths of allegiance told strongly on the English nobility and gentry. The memory of Henry V. influenced men in favour of his son; and Henry VI.'s meek virtues had won affection, if not admiration. The heroic though fierce spirit of Queen Margaret, her beauty and accomplishments, made many enthusiastic in her cause. The Lancastrian party comprised a very large proportion of the noblest houses of England, though the most powerful of all, that of the Nevills, was conspicuous on the side of the Yorkists. Among the general body of the nation the Yorkist cause was by far the most popular;* and the Yorkist leaders, especially the young Earl of March, showed themselves consummate masters of the arts, by which popularity is acquired and upheld.

Compromise between the Duke of York and Henry.

The Parliament of 1460 showed hesitation in admitting the Duke of York's claim to be instantly acknowledged King of England; and a compromise was agreed to, by which Henry was to retain the Crown for his life, but was to be succeeded by the Duke of York, or the Duke of York's heir. This compact, which ex-

Repudiated by the Queen.

* The volume of old political songs, already referred to, may be regarded as an additional proof of this. All the popular poetry of this period seems to have been on the Yorkist side.

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1460-1461.

cluded Margaret's son, young Prince Edward, from the throne, was indignantly repudiated by the Queen; and, raising an army among her partisans in the north, she again marched against the Yorkists. The Duke of York had retired with a small force to Sandal Castle near Wakefield. He imprudently left the stronghold, and encountered Margaret's superior army in the field. He was overpowered and defeated on the last day of 1460. He lost his life, according to some accounts, by death in the action; according to others, he was put to death, with circumstances of great insult and cruelty, by Margaret's orders, after the battle. His son, the Earl of Rutland, a mere child, was captured at Wakefield, and was inhumanly killed by Lord Clifford, one of the most furious of the Lancastrians. The Earl of Salisbury, who also was taken at Wakefield, was executed, without any form of trial, with several other prisoners, at Pontefract, on the day after the battle. Reprisals soon followed. On the 2nd of February Edward, the young Duke of York (late Earl of March, and soon afterwards King Edward IV.) gained the first of his numerous victories over a Lancastrian army under the Earl of Pembroke, at Mortimer's Cross. Edward was one of the most valiant combatants of his age. He was superior to his father in statecraft, and was utterly untrammeled in his dealings with his enemies by any scruples of conscience, or by any feelings of mercy or of fear. He had the heads of his chief prisoners struck off on the field; and marched upon London, where he was enthusiastically welcomed on the 28th of February. Queen Margaret had in the meanwhile won a battle against the Earl of Warwick at St. Albans (February 17), but her victory proved disastrous to her party. The Borderers, whom she had led from the north,

She defeats the Duke of York at Wakefield.

Death of the Duke.

Cruelty of the Lancastrians.

The young Duke of York defeats the Lancastrians at Mortimer's Cross.

He enters London.

Queen Margaret victorious at second battle of St. Albans.

1461.

plundered central and southern England as a hostile country, and thus exasperated the population against King Henry's cause. The Queen was obliged to retire with her ill-disciplined forces towards the north, taking with her King Henry, whom she had recovered from the custody of the Yorkists. On the 3rd of March, the young Duke of York addressed a council of peers, prelates, and chief citizens in London. They accepted him as their King; and on the next day he rode in state to Westminster, and took his place on the throne, and was proclaimed King Edward IV. He was not crowned until the 29th of June, having in the meanwhile marched northward, and fought and won the battle of Towton, the most obstinate, the most sanguinary, and the most important of all the battles of these dreadful wars.

Excesses of her troops.

She retires to the north.

The young Duke of York is proclaimed and enthroned as Edward IV.

March 4, 1461.

The Yorkist army at Towton, commanded by Edward and Warwick, was 49,000 strong. The Queen had 60,000 men, the Duke of Somerset being her general. There was severe fighting on the 28th of March, at Ferrybridge between the advanced divisions, in which Lord Fitzwalter, on the part of Edward, and Lord Clifford, on the part of Henry, were slain. The advantage rested with the Yorkists. On the 29th, the main armies encountered and fought from nine in the morning until three in the afternoon, when the Lancastrians began a retreat, which, beneath the vigorous charges of King Edward's troops, became a disastrous rout.

Great battle of Towton: decisive victory of the Yorkists.

Edward had ordered that no quarter should be given; and half the Lancastrian army is said by some writers to have perished. A letter from Edward himself to his mother, the Duchess of York, states that the heralds, who were employed to number the slain, counted 28,000 dead bodies on the Lancastrian side. The loss on the Yorkist side is reported to have been

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10,000. There seems no reason to doubt these amounts, when we consider the numbers that fought, and the closeness and long duration of the action; and when we also bear in mind that each army was mainly composed of that stubborn English infantry, which, in all ages, has been so slow to know itself beaten. The proportion of high nobility killed on the Lancastrian side was very great. Henry and Queen Margaret made their escape to Scotland, where they sought to purchase aid by causing the town of Berwick to be given up to the Scots.

Henry and Queen Margaret escape to Scotland.

Immediately after his victory, Edward ordered the decapitation of the Earl of Devon and others of the chief Lancastrians, who had been taken prisoners at Towton. Edward marched northwards as far as Newcastle, to secure himself against any fresh rising in the North. He then returned to London, and on the 29th of June the ceremony of his coronation was performed there by the Archbishop of Canterbury.

1461. June 29, Edward IV. crowned King.

The commencement of his reign was formally dated as from the 4th of the preceding March, when he had been proclaimed at Westminster; but it was on the battle-field of Towton that his real kingship had commenced, and it was in the spirit of that sanguinary strife that he continued to reign. In his first Parliament a long and sweeping bill of attainder was passed, in which, besides Henry VI., his queen, and their son, almost every noted adherent of the House of Lancaster was named and condemned. Two dukes, four earls, a viscount, and several barons were included in it; and the list of knights, priests, and esquires, was 138 in number. All these were adjudged to suffer the penalties of treason. One of the penal consequences of attainder was the forfeiture of estates; and King Edward thus obtained funds for rewarding his fol-

He summons a parliament. All the chief Lancastrians attainted.

lowers, and for the further prosecution of the war. The Parliament declared that the three last occupiers of the throne were usurpers, but it allowed the acts done "by the said pretensed kings" to remain valid, except in regard of such persons as King Edward held to be rebels and enemies to him. By means of this exception Edward was enabled to transfer to his own partisans many lands and offices which his Lancastrian predecessors had granted to persons whom Edward now regarded, or pretended to regard, as hostile to the dynasty of York.

Edward's personal character.

Edward IV., at the time when he was showing himself thus ruthless and resolute in crushing the enemies of his House, had barely completed the twentieth year of his life. He was eminently handsome; and is said, like Saul and Agamemnon, to have been taller by a head than any of his people. These personal advantages, and the grace and affability of his manner, did much to gain for him the popularity, which we know him to have acquired, and generally retained, notwithstanding the numerous acts of cruelty which sullied his career. It is to be remembered in palliation of that evil feature of his character, that he was reared amid the horrors of civil war; and that the example of executing prisoners after battle in cold blood, and of dooming whole families to death by acts of attainder, had first been set by his adversary, Queen Margaret. Edward, when a mere boy, fought his first battle to avenge the cruel death of a father and a brother; and he knew himself doomed to die, if he failed to obtain the mastery. Margaret had included him, his mother, and others of his kin, in the act of attainder which had been passed by her Coventry Parliament. Edward might at first fairly believe that in mercilessly breaking down the power of the Lan-

His popularity.

His cruelty.

Its probable cause.

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castrians, he was only acting in self-preservation. But the habit of bloodshedding grew in him to a second nature; and it was said of him that he witnessed an execution with as much pleasure, as most men feel in looking on at a pageant. He was also utterly unscrupulous as to the breach of promises and oaths, if they stood in the way of his acquisition of any coveted object. He was grossly licentious; and when no urgent matters of warfare or of government were pressing him, he was prone to become a mere idle voluptuary: but, when dangers were actually present, and when serious difficulties had accumulated, he was energetic, resolute, and enduring. His courage was indomitable; and he possessed skill equal to his courage, both as a general and as a statesman. He had in him all the elements of greatness; and probably, if the crown had devolved on him peaceably, many of his worst qualities would have been but little developed; his warlike abilities might have been displayed in victories over foreign, instead of over English, hosts; and he might have been ranked in history with Edward III., a prince whom, in his natural character, he seems greatly to have resembled.

Edward's Scottish policy.

Queen Margaret found the Regents of Scotland willing to assist her against the Yorkist King of England; but Edward skilfully formed connections with the Lord of the Isles, and with other Scottish nobles, who were discontented with the Regency; and thus the Government of Scotland had so much occupation given to it at home, that no expedition of any importance against England was practicable.

Queen Margaret obtains help from France.

Margaret next, by promising to cede Calais to the French, if it should ever come into her power, obtained some small help from Louis XI. But all

her attempts on England were met and baffled by Edward's commanders; and in 1464 a Lancastrian army of some considerable strength, which she had at last collected, was beaten by the Yorkist general, Lord Montague, at Hedgeley Moor, and utterly routed in a second engagement at Hexham. The Queen had brought Henry VI. from his retreat in Scotland to take part in this campaign. He was nearly captured by the victorious Yorkists, but escaped from the field at Hexham, and found shelter for more than a year in the wilds of Lancashire and Westmoreland. The loyal devotion of the poor shepherds and farmers of these districts protected the discrowned fugitive from the angry search of King Edward. At length a monk of Abingdon betrayed Henry to the Yorkist officers; and he was taken away captive to London. He was treated there with studied indignity. The people were forbidden by proclamation to show him any sign of respect. He was placed on horseback with his feet tied to the stirrups, and in that state, as a prisoner, he was publicly led three times round the pillory, and conducted thence to the Tower, where he was kept for several years in rigorous confinement. Queen Margaret and her young son escaped from Hexham, after many adventures, into Flanders, whence they removed into France.

1464. She leads an army into England, which is defeated at Hexham.

1466. Henry VI. is captured and is imprisoned in the Tower.

Edward IV., now thinking himself secure, no longer studied to ingratiate himself with the powerful nobles, by whose aid he had won the crown. Foremost of these was Richard Nevill, Earl of Warwick, who has been styled "the last of the English Barons," the last of the feudal chiefs, whose bands of personal retainers amounted to small standing armies; who could raise in a few weeks large armies from among their tenantry and other dependents; and whose revenues exceeded

Wealth and power of Warwick, the King-maker.

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those of royalty itself. Warwick, besides his vast paternal inheritance, held ample lands which had been granted to him by Edward out of the Lancastrian forfeitures. He was also High Chamberlain, High Admiral, Lieutenant of Ireland, and Governor of Calais. The contemporary historian Comines states that the official income of Warwick amounted to 80,000 crowns a year, independently of the immense sums derived from his estates. One of his brothers, Lord Montagu, was Warden of the Scottish Marches, and had received the confiscated estates of the Percies. Warwick's other brother, who was an ecclesiastic, had been made Archbishop of York, and held the Great Seal as Chancellor of England. King Edward was jealous of the power which overshadowed the throne.

Edward seeks to reduce the power of the great nobles.

He studied to reduce the great nobility; and, as he continued that policy after the overthrow of the Nevills, we may conclude that he was acting on general principles, and not merely out of personal ill-will towards Warwick.

Statute 8 Edward IV. c. 2. against giving liveries.

He caused a statute to be passed, which forbade the general practice of giving liveries. The statute allowed them to be given only on public solemnities, such as coronations, and then to be worn only for the occasion. It had previously become a custom for each nobleman to appoint certain colours and badges, to be regularly worn by his followers. In the case of a Baron of political influence such as Warwick possessed, it was not only his kinsmen, his tenants, and his serving-men, that wore his livery, but crowds of others (often men themselves of rank and authority), who hoped for promotion or protection from the great chief, eagerly assumed the distinctive dress which marked them as his partisans. They thus easily recognised each other, and could form and act together in tumults or sudden affrays. The

sight of their numbers made them and their leader defiant and imperious in the law-court, at the hustings, and in the Parliament House. Weak men gave up their rights rather than encounter these baronial household troops; and when two forces of the kind, at all equally matched, met in rivalry, a sanguinary brawl, to be followed by a series of vindictive reprisals, was the almost certain result.

Statute 7 Ed. IV. c. 4, enabling the King to resume grants.

By another statute Edward had obtained the power of resuming improvident grants. This seemed to threaten the Nevills with the deprivation of some of their enormous wealth. The passing of it is attributed to the influence which a new class of favourites obtained over Edward. Probably it was due to mixed motives;—to the King's general wish to lower the overpowerful old nobility, combined with uxorious easiness in conceding the ambitious requests of a family, with which the King had become connected by a matrimonial union.

Edward's marriage with Lady Elizabeth Gray.

In the year, in which the battle of Hexham was fought, Edward avowed publicly a marriage, which he had some time before contracted with the Lady Elizabeth Gray, widow of a Lancastrian knight, who had been slain at St. Albans. This lady, who was a Woodville by birth, had captivated Edward by her beauty; and, though as a husband he was very inconstant to her, she had influence enough over him to obtain lavish grants of lands and honours to her family. This caused bitter jealousy and rivalry between the Woodvilles and the Nevills, who had hitherto been predominant. Warwick also resented as a personal affront to himself Edward's conduct in privately contracting this marriage with one of his own subjects, at the time when Warwick was publicly endeavouring to obtain a suitable bride for his sovereign from the royal Houses

Favour shown to her family, the Woodvilles.

Jealousy of the Nevills.

Warwick's personal offence.

His projects for a Royal French or Spanish marriage for Edward.

CHAP. IX.

1469-1470.

of France or Spain. The negociations, which were carried on with the French Court for this purpose, have been mentioned by many writers; and documentary evidence has been discovered that there was also a project for a marriage between Edward and Queen Isabella of Castille.* The Woodvilles, besides this rivalry with the Nevills, endeavoured also to diminish the authority which the King's brothers, the Dukes of Clarence and Gloucester, had hitherto possessed in Edward's court. Clarence, who appears to have been a weak hasty man, leagued himself with the Nevills in opposition to the Queen and her kinsmen; and, in 1469, he married, without the King's permission, the eldest daughter of the Earl of Warwick. Then came a series of intrigues, and counter-intrigues, of insurrections, of hollow reconcilements, and of renewals of strife between the King and the Woodvilles on the one side, and Warwick and Clarence on the other; the latter side being aided by attempts which the Lancastrian remnants made to reorganise and revive their party. It is impossible to trace accurately, and it would be unprofitable to dwell long on the tangled threads of the history of the years 1469 and 1470. At one time Warwick got King

Jealousy between the Woodvilles and the King's brothers.

Clarence leagues with Warwick.

Civil strife renewed.

* In the first volume of "Letters and Papers of reigns of Richard III. and Henry VII.," edited by Mr. Gairdner in 1861, in the Rolls collection, there is at page 31 a curious document, which contains, in Latin, the message of Queen Isabella of Castille, delivered by her ambassador to Richard III. at Warwick on the 8th of August, 1483; and it also contains in English a memorandum of the oral statement made by the ambassador on handing in this state paper. That memorandum begins as follows:— "Besides thise instrucciones geven in writing by this orator, he shewed to the Kinges grace, by mouth, that the quene of Castelle was turned in hur hart fro England in tyme past for the unkyndeness the which she toke against the King last decessed, whom God pardon, for his refusing of her and taking to his wiff a wedowe of England; for the which cause also was mortelle werre betwixt him and the erle of Warrewyk, the which toke ever hur part to the tyme of his deth." It is referred to in Mr. Sharon Turner's History.

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Edward into his power; and England saw the strange spectacle of a baron omnipotent in the realm, and holding its two rival kings as his prisoners. Soon afterwards Edward recovered his liberty, and raised a force sufficient to make Warwick and Clarence fly from England and seek shelter in France. In that country, at the Court of Louis XI., Warwick and Queen Margaret met and were reconciled, and they formed a league against their common enemy, King Edward. The French King, Louis XI., who dreaded that Edward IV. would renew the wars of the English in France, promoted this confederacy, and promised aid in troops and money. Edward IV. was to be dethroned, and Henry VI. to be restored. Warwick's family was connected with the royal House of Lancaster by the marriage of his youngest daughter with young Prince Edward, the son of Henry and Margaret. In the event of that prince dying without issue, Clarence was to succeed to the throne.*

1470. Warwick and Clarence fly to France.

Warwick leagues with Queen Margaret.

Meanwhile Edward "thought of nothing but of the ladies (of whom he was immoderately fond), of hunting-parties, and of adorning his person."† He neglected the warnings, which he received of the preparations made by Warwick and Clarence for attacking him; and he expressed a wish to hear of their having landed in England with their forces, so that he might at once meet and crush them. They did land at Dartmouth on the 13th of September, and in eleven days Edward was a fugitive from his throne and his country. He

Supineness of Edward.

Warwick returns to England and dethrones him.

* Lord Lytton, in the preface to his Historical Romance, "The Last of the Barons," gives strong reasons for believing that the immediate cause, which drove Warwick to take up arms, was an attempt made by the King on the virtue of one of the Earl's female relations. The licentious character of Edward IV. makes the fact of such an outrage probable; but there is no historical authority for it earlier than Hall, who wrote in Edward VI.'s reign.

† Comines, vol. i. p. 245, ed. Dupont.

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1470-1471.

had continued to trust Lord Montagu, Warwick's brother, and he had given that nobleman the principal command of the army raised to encounter Warwick and Clarence. Montagu deserted to them; and Edward, after a very narrow escape from capture, crossed the sea and took refuge in the dominions of the Duke of Burgundy, who had married his sister. Warwick entered London on the 5th of October. "The King-maker," as the great baron was styled, now released Henry VI. from the Tower. The Lancastrian King, with the crown on his head, was led in solemn procession to St. Paul's, where he returned thanks for his restoration. A Parliament was convened, in which Edward was pronounced a usurper, and the crown was declared to belong to Henry and his heirs, with the Duke of Clarence standing next to them in order of succession.

Restoration of Henry VI.

For a few months Warwick, acting in Henry's name, was the real ruler of England. Queen Margaret had remained in France, collecting an army of Lancastrian refugees and of auxiliary troops supplied to her by King Louis. She seems to have distrusted Warwick; and to have deferred her return to England, until she could appear there at the head of such a force, as would ensure for her the effective and independent exercise of royal authority. In the spring of 1471 her preparations were complete; but adverse winds prevented her from landing in England during the last half of March and before the 14th day of April; and during that period her active adversary, Edward, was reconquering England for the House of York.

King Edward returns to England.

Accompanied by his brother, Richard Duke of Gloucester, who had adhered faithfully to him in all his troubles and adversity, by Lord Hastings, and a

few more staunch friends, Edward sailed from Zealand on the 11th of March, with a scanty force of two thousand soldiers, which he had obtained from his brother-in-law, the Duke of Burgundy. He disembarked at Ravenspur, at the same place where Henry of Bolingbroke had landed in 1389 to dethrone Richard II., and to found the dynasty of Lancaster. Edward imitated Henry in pretending that he came with no design upon the crown, but solely to claim his paternal ducal inheritance. By this means he disarmed opposition, and gained an entrance into the city of York. He there, in the Cathedral, solemnly and publicly abjured all pretensions to the crown. Those, who commanded in the North for Warwick and Henry, hesitated how to deal with a popular nobleman, who professed allegiance to their King, and made his followers shout "Long live King Henry" in every village and town which they entered. But, while they hesitated, Edward pressed rapidly southward, gaining recruits as he marched along, until at Nottingham he saw an army of several thousands under him. He now threw off all disguise, and resumed the royal title in his proclamations. Warwick collected forces at Coventry; but Clarence (with whom Edward had probably a secret understanding before he left Holland) led over to his brother a large body of men, whom he had raised under a commission from Henry VI. Thus strengthened, Edward continued his rapid march upon London. It was his great object to possess himself of that city, where he had numerous partisans, and was sure to obtain strong reinforcements. Edward knew also the moral effect that would be produced in his favour, by his being received and recognised as king in the capital. Warwick had left his brother, the Archbishop of York, in command of London; but the

He marches upon London.

Clarence joins King Edward.

Importance of occupying London.

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1471.

Edward recognized there as King.

sudden arrival of Edward and his army before the walls made that prelate waver in his loyalty to King Henry. The citizens were enthusiastic for King Edward. The Archbishop opened negociations with what he considered the conquering party. He secured a pardon for himself, and admitted the Yorkist troops within the walls. King Henry VI. was sent back to his old prison in the Tower, which he never again quitted alive. This was on the 11th of April. Edward remained in London no longer than was necessary to organize with the troops whom he had led thither large reinforcements of the well-armed and well-trained Londoners, who were regarded in those ages as forming the most important military force in England.* Edward also obtained in London a large supply of artillery, an arm of which he had the sagacity to appreciate the importance, even in its then imperfect condition.

Henry VI. sent back to prison.

He marched back out of London on the 13th to meet Warwick, who, when he found that Edward had out-manœuvred him and dashed at London, also moved southward as far as Barnet. On the next day, Easter Sunday, April, 1471, the battle of Barnet was fought, and resulted in the complete defeat of Warwick's army, and in the death of Warwick himself, and his brother, the Earl of Montagu.

Battle of Barnet, Easter Day 1471.

Defeat and death of the King-maker.

Relieved thus of his formidable baronial adversary, Edward hurried westward to meet the army of Queen Margaret, which at last had landed on the Dorset coast

Queen Margaret lands in the south.

* Froissart, when describing the important part taken by the Londoners against Richard II., says of them:—"De tous ceux d'Angleterre, les Londriens sont chefs, et à vrai dire, ils sont tout-puissants de mise et de gens; car ils se trouvent bien du clos de Londres 24,000 hommes armés de pied en cape de toutes pièces et bien 30,000 archers. C'est grand' force, car ils sont durs, forts, hardis et hauts. Et tant plus voient de sang épandu, tant plus sont-ils cruels et moins ébahis."—Froissart, *Chroniques*, c. lxxvi. There is abundant proof that the citizens of the century succeeding that of Froissart had lost none of this warlike power and spirit.

on the very day on which Warwick fought and fell at Barnet.

1471.

The Lancastrian Earl of Pembroke had collected a large force in Wales, with which the Queen's army was to unite, before their intended advance upon London. Another Lancastrian leader, the Bastard of Falconberg, was known to be preparing to attack the coasts of the Thames, and London itself with a force of adventurers, which he had collected beyond sea, and had embarked in a large squadron of hired ships. Again Edward disconcerted the plans of his adversaries by the skilful celerity of his movements. The Severn flowed between Margaret's army and that of Pembroke; and Edward determined to bring her to battle, before she crossed that river. He strengthened the Yorkist force in the city of Gloucester, and fortified the bridge there, so that the Lancastrians could not occupy it; and, when Margaret moved upon Tewkesbury to seek a passage at that town, Edward attacked her with his full force. The Queen's army, which was inferior in numbers, had intrenched itself in a strong position at the back of the town; but Edward's London artillery-men here rendered him important service. They overpowered the feeble batteries with which the Lancastrians were provided, and poured in a long and heavy cannonade upon their crowded adversaries. Part of the Queen's army under the Duke of Somerset charged forward, but were beaten back. Edward's archers now approached the lines, near enough to ply the defenders with their arrows; and presently a first column led by Richard Duke of Gloucester, and a second column led by Edward himself, forced their way within the entrenchments; and the dismayed Lancastrians broke in panic flight. They were pursued with heavy and unsparing

Other Lancastrian forces.

Activity and skill of Edward.

He attacks Margaret's army at Tewkesbury.

Complete victory of the Yorkists.

CHAP. IX.

1471.

Death of Margaret's son, Prince Edward.

slaughter. Margaret's son, young Edward Plantagenet, was, according to some accounts, taken prisoner, and dragged before the conquering King Edward, who is said, on receiving from the young prince a spirited reply to a haughty question, to have struck his captive with his gauntlet on the face; upon which the Yorkist nobles, who were with their King, rushed on the defenceless heir of the House of Lancaster, and stabbed him to death in King Edward's presence. Other and more probable accounts state that the young prince was overtaken and killed, while flying from the field. The Duke of Somerset and many other leaders of the defeated army escaped to a church in the town. The right of sanctuary had hitherto been respected by the contending parties; and King Edward's own wife and children had lived safely in sanctuary at Westminster, while Warwick was master of the capital. But all barriers against vengeance were now disregarded. The battle of Tewkesbury had been fought and won on a Saturday. Somerset and his companions were permitted to live during the following Sunday, but on the next day they were dragged from the church and beheaded. Queen Margaret had taken shelter in another religious building. She was discovered after the battle, and given up to Edward, who kept her prisoner until the French King, Louis XI., ransomed her for fifty thousand crowns. She survived in France for several years, a discrowned queen and a childless widow.

Execution of Lancastrian prisoners.

Capture of Queen Margaret.

Death of Henry VI.

Eighteen days after the battle of Tewkesbury, and on the same day on which King Edward made his triumphal entry into London, it was announced to the citizens of the capital that King Henry VI. had died of grief in the Tower. It is possible that this may have been the case. But it was so obviously for

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Falconberg's attack on London.

Edward's interest that Henry should die, that few or none believed the victorious sovereign's assertions that his rival king had died a bloodless death. Even after the battle of Tewkesbury, the Bastard of Falconberg, acting in Henry's name, had sailed up the Thames, and endeavoured to liberate his sovereign from the Tower. The citizens resisted Falconberg stoutly; but he had forced his way into part of London, and fought a desperate battle in the streets, before they could repulse him. He was making preparations for a fresh assault, when the tidings of the swift return of King Edward with his conquering troops made him withdraw to the mooring-place of his ships at Blackwall. As soon as it was known that Henry was dead, Falconberg submitted to King Edward, and purchased a charter of pardon by giving up his ships.

His submission to King Edward.

The remains of the deceased King Henry were first buried privately at Chertsey Abbey. The popular reverence for his pure and saint-like qualities caused a belief that miracles were wrought at his tomb there; and the Yorkist rulers removed his bones to Windsor. Henry VII. finally deposited them among the tombs of the English Kings at Westminster.

Edward's reign after the death of Henry.

With the exception of a slight and unsuccessful attack on Cornwall, made by the Earl of Oxford in 1473, Edward IV. reigned for twelve years after the death of Henry without further molestation from the Lancastrians. This was a period, during which the commerce of England grew to a far greater height, than it ever before had attained; and the general condition of the trading classes was remarkably prosperous. Edward studied to win the favour of this part of the community; and he himself entered with profit into commercial speculations. He fol-

Prosperity of this period.

CHAP IX.

1471. Relaxation of the strictness of entails.

lowed up his policy of diminishing the power of the old landed aristocracy, by causing an effective blow to be given to the system of entails, which the Statute De Donis, passed in Edward I.'s reign, had so long upheld.* Edward IV. did not repeal the old statute; but his Judges, acting under his directions, gave their sanction to a fictitious form of conveyance, by which the entail could be defeated.† Very many landowners, whose power over their property had formerly been limited, now were enabled to alienate and mortgage freely; and large quantities of land thus came into the market, which were purchased by the new rising class, that of the men who had enriched themselves by commerce and trade. The amount also of land, which was liable to forfeiture for treason, was greatly augmented. King Edward, notwithstanding his dissoluteness, was a keen man of business; and it is recorded of him that he required the government officers in each locality, and the stewards in the royal manors, to supply him with regular reports of the state of their respective districts. It is added that Edward read these reports with such care, and was gifted with such a tenacious memory, that if any person of note in any part of England was mentioned before him, the King was almost always found to be perfectly acquainted with that person's character, resources, and conduct.‡

Growth of a new class of landowners.

The king, a man of business.

His knowledge of local affairs, and of the chief men of each district.

* See *supra*, vol. i. p. 436.

† "Edward the Fourth observing (in the disputes between the houses of York and Lancaster) how little effect attainders for treason had upon families whose estates were protected by the sanctuary of entails, contrived that Taltarum's case should be brought before the court; wherein in consequence of the principles then laid down it was in effect determined that a common recovery suffered by tenant in tail should convert his estate into a fee simple absolute, and bar all persons whatever claiming the estate tail or any estate ulterior thereto."—Stephen's Blackstone, vol. i. p. 240.

‡ Cont. Croyl., pp. 562, 564, cited in Lingard.

1471.

His patronage of literature.

Although plunged, while almost a boy, into the stormy currents of civil war, Edward IV. had acquired a considerable share of the learning of his age. He was fond of literature,* and he showed himself a discerning and generous patron of literary merit in others. He pardoned Henry's favourite Chancellor, Bishop Waynflete, and Sir John Fortescue, Henry's Chief Justice, who had, while in exile, been tutor to Henry's son. Both these eminent men seem to have won Edward's favour by their reputation for learning. He also pardoned, and promoted to high rank in the Church, Morton, an ecclesiastic of great intellectual eminence, who had been with Queen Margaret at Towton, with Warwick at Barnet, and again with Queen Margaret at Tewkesbury. It was in Edward's time that William Caxton brought the art of printing from Germany to England. Caxton found a firm and generous patron in Edward's brother-in-law, Lord Rivers, who was an author both of translations and of original poetry. Caxton was for some time in the household of Edward's sister, Margaret, the Duchess of Burgundy, who is said to have encouraged and assisted him in translating romances from the French. He was also personally known, and befriended by Edward himself.

Continued factions and troubles in the English Court.

Quarrel between Clarence and Gloucester.

There was, however, no part of Edward's reign, at which the English Court was a scene of dignified and splendid tranquillity. The rivalry and the cross-intrigues of the Queen's family on one side, and of the King's brothers on the other, grew more and more rancorous and violent; and a fresh source of dissension was opened by a quarrel between the two royal

* "In Edward's 'Wardrobe Accounts' there are entries for binding his Titus Livius, his Froissart, his Josephus, and his Bible; as well as for the cost of fastening chests to remove his books from London to Eltham."—Knight's History of England, vol. i. p. 171.

CHAP. IX.

1473-1475.

Dukes over the inheritance of the Earl of Warwick. Gloucester had married Warwick's youngest daughter, the widow of Edward Plantagenet, who died at Tewkesbury. Clarence, who was married to the eldest daughter, made a mean and unsuccessful attempt to keep the whole heritage of the great Earl in his own hands, thereby adding to the disfavour with which he was already regarded by the King.

War with France.

In 1473 and 1474 Edward, who had many causes of complaint against King Louis XI. for assistance given to the Lancastrians, made great preparations by forming alliances abroad, and by collecting troops and treasures in England, for a renewed war of conquest in France. It was on this occasion that he practised most largely a mode of raising money, without consent of Parliament, from his subjects, to which he gave the name of asking for "a benevolence." Wealthy individuals were summoned into the King's presence, and were importuned by Edward personally to make a free-will present for the relief of the wants of the Crown. Some were won over by the King's graces of deportment and address to give with real willingness; but by far the greater number gave out of fear of displeasing one whose wrath was known to be so terrible: and the so-called benevolences were resented as lawless extortions.

The King raises money by "benevolences."

Besides the treasures, which the King thus acquired, supplies for the ever popular project of an invasion of France were voted by the Parliament with unprecedented liberality. Nobles, artisans, yeomen, all classes vied with each other in contributing to the efficiency of the intended army of conquest. Edward landed at Calais at the end of June, 1475, with a splendidly equipped force, which included 1500 men-at-arms, ten times that number of mounted archers, very large

Strength and splendour of Edward's army.

CHAP IX.

1475.

Edward's ally, the Duke of Burgundy, fails him.

bodies of infantry, and a numerous train of artillery. But, when on the Continent, Edward IV., like more than one of his predecessors, found the hollowness of the promises of continental allies. The expedition had been planned in concert with Edward's brother-in-law, Charles the Bold, Duke of Burgundy, who was at bitter enmity with Louis XI. of France, but who had also numerous schemes of ambition and vengeance against the Swiss, the Duke of Lorraine, and some of the princes of Germany. The agreement between Edward and Duke Charles, was that the Duke should join the English in their advance from Calais, with an army of equal force, and that the confederate forces should then act together against the French King. But the Duke had thought fit to occupy and waste his army in the siege of Neus, a little town near Cologne; and when he appeared at Calais in the middle of July he brought with him only a small retinue of personal attendants. He made many excuses and promises; but the jealousy and anger of the English increased, when they found, on marching from Calais, that they were carefully excluded from every town, that was held by a Burgundian garrison. The Duke now pressed on Edward a change in their plans; and, with numerous pretences about the difficulty of finding supplies in the same part of France for two invading armies, he requested Edward to carry on the war single-handed in the north-east of France, while the Burgundians attacked King Louis's allies in Lorraine. The two armies were afterwards to unite at Rheims, and Edward was there to be crowned King of France. Edward saw through the real design of his brother-in-law, which was to make use of the English to occupy the arms of France, while the Burgundian conquered Lorraine and Switzerland for his own benefit. The

CHAP. IX.

1475.

Negociations opened with the French.

English King declined to play the part of a dupe and tool; and he listened to the overtures for pacification, which were eagerly made to him by Louis XI. That sagacious and unromantic monarch dreaded above all things a renewal of English warfare within his realm; and was ready to purchase the return of Edward and his army at almost any sacrifice, except by the cession of territory. Louis employed his gold lavishly; and eventually a treaty was made for a seven years' truce and free commercial intercourse between the two nations. Louis's eldest son was to marry Edward's eldest daughter as soon as she was grown to womanhood. Edward was to withdraw his army; Louis was to pay him in the course of a year seventy-five thousand crowns, and to pay him also fifty thousand crowns a year for his life. Annuities were to be paid also to several of Edward's chief nobles. Edward laid these proposals before a council in his camp. A great majority were in favour of the treaty. Edward had brought with him several of the principal English merchants and members of the House of Commons, who had been among the most zealous advocates of the war. These representatives of the English people had expected that, at the end of about three days from their landing, there would be a furious battle, a splendid victory, and then a triumphant march upon Paris. But when they found themselves week after week in the midst of abundant hardships without any glory, with the weather getting worse, and provisions becoming scantier, they joined in the general malediction on the ally, who had betrayed them, and in the general desire to accept King Louis's offer. A small party of the English nobles, headed by Richard Duke of Gloucester, opposed the pacification; and deemed it dishonourable that an army composed of the flower

Louis buys the treaty of Pecquigny.

of England's warriors, and led by her King, should retreat, without striking a blow, from an enterprise which had been undertaken with so much ostentation, and with the expectation of mighty achievements. But these aspirants for persevering war could not prevail; and on the 28th of August Edward and Louis met at Pecquigny, on the river Somme, and swore to a treaty embodying the terms already mentioned, and some other articles, among which was the French King's compact to pay the ransom of the Lancastrian Queen Margaret.

Death of the Duke of Burgundy.

Two years after Edward's return from this expedition the Duke of Burgundy was killed at Nancy in his insane and unjust attempt to subjugate the Swiss. He left an only child, a daughter, the heiress of his ample and important dominions. The Duke of Clarence was now a widower; and he became an eager candidate for the hand of Mary of Burgundy. Edward resolutely opposed this attempt of a brother, whom he had long distrusted, to make himself a powerful European potentate. The discontent of Clarence, and the displeasure of the King, went on increasing. Clarence retired from Court; and his numerous enemies there took care that every indiscreet, if not disloyal, act of the Duke and his followers should be represented to the King in as black colours as possible. Two of his adherents were tried, convicted, and executed for treason. Clarence appeared before the Council to justify them, and to protest against their sentence. He was forthwith committed to the Tower for obstructing the administration of justice; and in January, 1478, he was arraigned before the Peers for high treason. The King himself appeared as prosecutor. The Duke was found guilty by an unanimous vote of the Lords. Sentence of death

Clarence seeks a marriage with his heiress.

Opposed by Edward.

Increased discontent of Clarence.

Edward accuses Clarence of treason.

Clarence condemned and sentenced.

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1482-1483.

He dies in the Tower.

was pronounced against him; and the House of Commons petitioned the King to order the sentence to be carried into execution. Ten days after this address it was announced that the Duke of Clarence had died in the Tower. There can be little doubt that he was put to death by the King's orders.

War with Scotland.

A war with Scotland broke out in 1480. Edward gave the conduct of it to his sole surviving brother, the Duke of Gloucester, whom he trusted implicitly.

The Duke of Gloucester recovers Berwick.

Gloucester effected in 1482 the reconquest of the important town of Berwick, which had been given up to the Scots by Queen Margaret after her defeat at Towton.

Death of King Edward IV.

The war was not over, when King Edward died on the 9th of April, 1483. He was only in the forty-first year of his age; but unrestrained indulgence in sensual luxuries of every kind had bloated and weakened his once goodly and vigorous frame. His last illness, an intermittent fever, was a short one; and there was no time either to summon to his deathbed the young Prince of Wales from Ludlow, where he was residing under the care of the Queen's brother, Earl Rivers; or to bring the Duke of Gloucester from his command in the North. The short interval, that was allowed King Edward between a knowledge of his danger and his death, was spent by him in earnest devotion, and in expressions of deep penitence for his crimes and sins, and in earnest exhortation to the courtiers round his deathbed to cease their dissensions with each other, and to unite in loyally protecting the young children of their dying King.

His children.

The eldest of these children was Edward, born in the sanctuary at Westminster during his father's short exile from England, and when Warwick was supreme, in 1470. He had been created Prince of Wales and Earl of Pembroke, and had been sent in 1482 to hold

viceregal state in the Welsh Marches, under the guardianship of his maternal uncle, Earl Rivers. Edward IV.'s only other surviving son was Richard, born in 1473, and created Duke of York. There were five royal princesses. The eldest, Elizabeth, became, after her brother's death, the heiress to the rights of the House of York, and married Henry VII. Three others married noblemen, and one became a nun at Dartford.

Edward V. proclaimed King.

Immediately after King Edward IV. had expired, the Lords of the Council, who were in London, assembled, and caused Edward V. to be proclaimed King. The young King had not completed his thirteenth year. It was obvious that it would be necessary to appoint a Protector, or Regent, during his boyhood; and it was equally obvious that the appointment to this office would be severely contested between the rival parties in the State. The Queen mother and her kinsmen, the Woodvilles, made one party. In opposition to it were the two Dukes of the Blood Royal, Richard, Duke of Gloucester, and the Duke of Buckingham, who was the lineal descendant of Thomas of Woodstock, the youngest son of Edward III. The Woodvilles were also hated and opposed by several important nobles, among whom was Lord Hastings, who had been the late King's personal friend, and the chosen companion of his pleasures. The Queen's brother, Lord Rivers, approached from the west, bringing the young King with him. Duke Richard came down from the North. He had been prompt in proclaiming his nephew as King, and ostentatious in setting the example of taking the oath of allegiance. The two companies met near Stony Stratford. Richard lulled for a time the suspicions of Rivers, and then suddenly arrested him and other members and ad-

Struggle for the Regency.

Lord Rivers brings the young King towards London.

Duke Richard approaches from the North.

Richard and Lord Rivers meet on the road.

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1483.

Richard arrests Rivers, and gets the young King into his power.

herents of the Woodville family. He sent them into prison at Pontefract. He now had the young King in his power. He treated him as King with ceremonious deference, and conducted him in solemn procession into London. The Tower was fixed as the royal residence, and the 22nd of the coming June was named as the day of King Edward V.'s coronation.

Gloucester is appointed Protector.

Gloucester was appointed by the Council, "Protectour and Defensour of England." The Queen-mother, on hearing of the arrest of Rivers, had fled in terror to the sanctuary at Westminster with her youngest son, Prince Richard, her five daughters, and her son by her first husband, the Marquess of Dorset.

The Queen-mother takes sanctuary.

In securing the Protectorship, Gloucester was probably taking the only available means for securing his own safety; nor would it be reasonable to criticise very rigorously his arrest and imprisonment of Earl Rivers. But we now come to scenes of a very different character; and it is well to pause and consider the evidence which we possess of the reality of those scenes, and of Duke Richard's or King Richard's guilty participation in the worst of them.

Richard III. the best-abused man in history.

The name of Richard III. has unquestionably had more calumnies heaped on it, than almost any other name in history. Writers in the time of his successor, and of that successor's near descendants, had an obvious motive in blackening the character of the last King of a fallen dynasty.

The ideal Richard of our stage.

Our most popular stage-plays, following one of the most popular of our old chronicles, have made Richard familiar to us from our youth as the type of craft and cruelty, as a fiendish being of pre-eminent intellect, energy, and courage, but abusing those faculties for the misery of others throughout a long blood-stained career from boyhood to death. The mere recollection that Richard was not born till 1450, and

that he was barely eleven years old, when Towton was fought, disposes at once of the imaginary Richard, the supposed instigator of the worst deeds of the Yorkists in the early years of the Civil War. Without going through details, we may simply assert that there is no definite proof whatever to fix Richard with any crime before the end of the reign of Edward IV. There were evil rumours, which associated his name with the deaths of Henry VI. and of Clarence; but they appear to have been mere malignant rumours, without any foundation of fact. Richard throughout his brother's varied fortunes showed himself free from any taint of disloyalty. He had faithfully accompanied Edward in his exile, and in his daring return to England. He had fought bravely on his side to win back his crown at Barnet and Tewkesbury.* His dislike to the grasping Woodvilles was neither unnatural nor unreasonable. His opposition to the treaty of Pecquigny may have been impolitic, but it was chivalrous and manly. His government in the north had been prudent and popular. He served his brother well in the campaign of Barnet and Tewkesbury, and afterwards in the war against the Scots. Indeed, one of the writers most hostile to Richard says of him (with reluctance that makes the praise more valuable), "If I may venture to speak anything to his honour, though he was a little man,† he was a noble and valiant

No proof against the real Richard of any crime before the end of Edward IV.'s reign.

His ability in war.

* In Mr. Wright's collection of "Political Songs and Poems" there is one on "The Recovery of the Throne by Edward IV.," in which Richard is thus described :—

The Duke of Glocetter, that nobill prynce,
Yonge of age and victorious in batayle.

† Richard's personal appearance has been made the subject of vehement controversy. The truth seems to be that the dramatists, following some of the hostile chroniclers, enormously exaggerated defects; and that the writers of the last and present century who have attempted Richard's "rehabilitation" have gone to the other extreme. The real Richard was low of stature with the left shoulder slightly deformed, and with his left arm blemished;

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soldier." "No evil captain was he esteemed in the warres" are the words applied to Richard by another hostile Lancastrian chronicler.

The fact that a man has been falsely accused of some crimes may properly make us cautious and scrupulous in dealing with other charges against him; but it cannot serve as an adequate reason for rejecting those other charges, if the proofs of them are trustworthy and clear. Nor is it at all repugnant to human nature, that a man of general excellent character should yield to great temptation suddenly placed before him, or that under such temptation he should proceed from crime to crime, until he has stained himself with guilt of the deepest dye.

Let us therefore ascertain who and what are the witnesses, as to the means, by which Richard set aside his brother's issue, and acquired and retained for a time the crown of England for himself.

Original authorities as to Richard's king-ship. The Canonist of Croyland.

There are four authorities on the subject of Richard's kingship, who may be considered original,* and who were contemporaneous with the events which they narrate. One of them is the continuator of the Chronicle of Croyland. His name is unknown; but it appears from his work itself that he was a doctor of canon law, and that he had been summoned to some of Edward IV.'s councils, and occasionally employed by that King on diplomatic missions. He declares

but he had great bodily strength and activity, as his prowess on his last battle-field amply proved. His features were dignified, regular, and eminently expressive. The portraits of him show a face which may well have appeared "hard-favoured" to Bishop Morton, when Richard was dooming death and imprisonment, but very handsome to the Countess of Desmond, when Richard was her partner in the dance.

* I do not mean "original" as excluding all but "eyewitnesses," but as including writers who drew up their narratives from what they themselves saw, or from what they themselves ascertained from eyewitnesses, while the facts were recent and men's memories were fresh. See vol. i. p. 411, as to historical evidence and historical tradition.

that he has written without falsehood, spite, or favour, and it seems that this character of his writings, is a just one. Another contemporaneous writer was Thomas Rous, a priest of Warwick, a vehement Lancastrian, and who shows an amount of unreasoning fury against Richard, which makes his invectives and accusations of little historical value. A third is Robert Fabyan, a London alderman, who wrote brief annals of the events of his time, and whom there is no ground for suspecting of falsehood or partiality. But the work, which gives the most full and minute account of the manner, in which Richard III. acquired and wore the crown, is the History of Richard III., which is usually cited as written by Sir Thomas More. This work was found in manuscript in More's writing among More's books and papers, after his death, by his son-in-law, Rastell. Rastell printed it in 1557. If this "history" was entirely an original work of More's, it could barely be deemed contemporaneous original evidence, inasmuch as More was not born until 1476.* But the book describes the death of Edward IV. in terms, which imply that the writer was present; and for this and other reasons many believe the tradition mentioned by Harrington in Elizabeth's reign, that the book was composed originally by Archbishop Morton. It also contains passages, which could hardly have been written by Morton. The truth appears to me to be, that More did not copy the book from any writing of Morton's, and that it was not entirely dictated by Morton; but that it consists mainly of narratives, which More in his youth heard from the Archbishop, and noted down as they were repeated. More was

The chronicler Rous.

Alderman Fabyan.

More or Morton.

* See, as to the true date of More's birth, Mr. Gairdner's preface to the 2nd vol. of his edition of "Letters, &c., of R. III. and Hen. VII.," Rolls' collection, p. xxi.

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brought up in Archbishop Morton's house, and was educated at his cost, and under his directions.* Regarding, then, this "History of Richard III." as substantially the work of Morton, we must consider it to be the evidence of a contemporary, who had very great advantages for knowing accurately the subjects which he speaks of. He certainly had a strong bias against Richard, by whom he had been arrested and imprisoned. Moreover, Morton was originally and ultimately a zealous Lancastrian; and, though he was pardoned and promoted by King Edward, this only made him more bitter against the man, by whom his benefactor's children were deprived of royalty, and, as Morton believed, of life. On the other hand, Morton's station and character make it impossible to suppose that he would deliberately coin lies, and assert circumstances, as having been an eye-witness of them, without having any foundation of fact for his statements. It seems, on the whole, reasonable not to accept a charge against Richard as true, merely because Morton says that such a thing was rumoured, but, on the other hand, to give full weight to Morton's testimony, when he speaks expressly to matters having occurred within his own knowledge, or when the matter is such, that he must naturally have received prompt, full, and distinct information respecting it.

Richard's position after he made himself Protector.

Taking, therefore, Morton, Fabyan, and the Croyland Canonist as our best guides, but referring to other evidence also, we proceed to trace the conduct of Richard after he was declared Protector. This was either on or shortly before the 14th of May.† It will

* See on this the remarks of Sir Henry Ellis in his preface to Harding, xx.; and Dean Hook's life of Archbishop Morton in his Lives of the Archbishops of Canterbury, vol. v.; and Mr. Gairdner's preface to the volume referred to in the last note, p. xviii. to p. xxi.

† This is the date of the earliest extant document in which he is styled Protector.

be remembered that at this time the Woodville party was effectually struck down by the arrest of Earl Rivers and others, whom Richard held imprisoned at Pontefract. The Duke of Buckingham was with Richard, and ready (as it proved) to co-operate with him in setting aside King Edward's children from the succession. But there were in London several powerful noblemen and prelates, Lord Hastings, Lord Stanley, Rotherham Archbishop of York, and Morton, then Bishop of Ely, whose fidelity to the sons of their royal benefactor was certain. It would have been dangerous for the Protector to let his designs on the crown, if he then entertained them, be known, until he had the means of overpowering the expected opposition of these men. All appearances of recognising King Edward V. were kept up for a month. The preparations for his coronation were continued; writs were issued for a Parliament, which was to assemble at Westminster on the 25th of June, and the Chancellor prepared a speech for the opening of that Parliament as in the presence of the "glorious Prince and King Edward V.," who was to meet his Parliament in person. That unspoken speech is still in existence.* Meanwhile, Richard was despatching letters to his partisans in the north to hasten to London. His blow at the party of the late King's friends was struck on the 14th of June. A council was summoned on that day in the Tower, at which Hastings, Stanley, Rotherham, Morton, and others attended. The scene which ensued, has been graphically described by More, writing after Morton, and still more vividly and powerfully by our great dra-

Party of the late King's friends: Hastings, Morton, and others.

Parliament summoned in Edward V.'s name to meet on June 25th.

14th June, Richard breaks up the party of Hastings and Morton.

* Nicholls' Grants of Edward V., p. xxxix. See the Preface to vol. i. of Mr. Gairdner's edition of "Letters and Papers of R. III. and H. VII.," Rolls' collection, p. xix.

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matist. Gloucester made a sudden and furious accusation that Hastings, plotting and acting in concert with Jane Shore (King Edward's late mistress) traitorously bewitched him, and compassed his destruction. Richard struck his hand upon the table; and, at the signal, soldiers rushed in, shouting, "Treason!" Hastings was seized, and hurried off to the green in front of the chapel. A priest, who was casually passing near, heard his death-confession. A piece of timber which lay there, served for a block, and Hastings was then and there beheaded. Lord Stanley and the two prelates were for a time imprisoned. Orders at the same time were sent to Pontefract, in pursuance of which Lord Rivers and the other leaders of the Woodville party, who had been detained there since May, were executed. Fear of further violence, or promise of favour, so wrought on Archbishop Rotherham that he aided Richard in his next step, which was to get into his power the youngest of the two young princes, the little Duke of York, who hitherto had been with his mother in the sanctuary at Westminster. The Archbishop of Canterbury, Thomas Bourchier, was also induced by the Protector to head a deputation of the Council, which was sent to the Queen-mother to prevail on her to give up the little Prince. At the end of a long and pathetic interview, Elizabeth reluctantly obeyed, and both the royal youths were now in Richard's power. This was on the 16th of June. On the Sunday following, which was the 22nd of that month, the pretence was made public, on which Richard determined to claim the throne for himself. A Dr. Shaw, brother to the Lord Mayor, preached a sermon at St. Paul's, in which the legitimacy of the late King's children by Elizabeth Woodville was denied, on the asserted ground that there had been a

Hastings murdered.

Morton and others imprisoned.

Richard gets the youngest Prince into his power.

Richard makes public the story that Edward's sons were illegitimate.

previous contract of marriage between Edward and Lady Eleanor Boteler. The Duke of Buckingham on the Tuesday following attended the Common Council of London, and made a speech to them, in which the same story was asserted. The Bishop of Bath and Wells, Stillington, came forward and declared that he had himself "espoused" Edward and the Lady Eleanor. The foreign chronicler* who mentions this, gives an account of Stillington, which shows him to have been unworthy of confidence; but his statements may have served to satisfy the scruples of many, who were desirous to be on the side of Richard, which now was evidently the strongest. As has been already mentioned, a Parliament had been summoned to meet on the 25th of June. Some of the writs, but not all, had been countermanded.† Many commoners who had been elected, and many lords, assembled on the day appointed. They drew up "certeine articles" on "a Rolle of Parchement"‡ "on the behalve and in the name of the Estates of the Reame of England," which they presented to Richard under the title of "The High and Myghty Prince Richard, Duc of Gloucester." The articles set out very elaborately the invalidity of the "pretensed marriage" between King Edward and the Lady Elizabeth Grey, the illegitimacy of Edward's children, the attainder of the Duke of Clarence, and the consequent inability of Clarence's children to succeed to the crown, the undoubted heirship of Duke Richard, and his many virtues; and they addressed to him the following prayer, accompanied with

Meeting of members of the intended Parliament.

They declare Richard III. to be the true hereditary and elected King.

* Comines, vol. ii. (ed. Dupont), p. 657.

† See Preface to Letters, &c., of Richard III. and Henry VII., vol. i. p. xviii.

‡ See the description and recital of them in the Preamble to the first statute of Richard's Parliament of 1484, 6 Rot. Parl. 240.

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many protestations, "We humbly desire, pray, and require your said noble Grace that according to this election of the Thre Estates of this Lande, as by youre true Enherritaunce ye will accepte and take upon You the said Crown and Royall Dignitie, with all thyngs therunto annexed and apperteyning as to you of right bilongyng, as wele by Enherritaunce as by lawfull Eleccion."* They proceeded to declare that he was their Sovereign Lord and King Richard III., and that his son Prince Edward was heir apparent. This address, or petition, or resolution was presented to the Duke, who, after some show of reluctance, accepted the offered sovereignty. He took formal possession of the throne on the following day, and the reign of Richard III. began, and that of Edward V. ceased, on the 26th of June, 1483.

End of the reign of Edward V.

6th July. Coronation of Richard III. at Westminster.

On the 6th of the July following Richard was crowned at Westminster, King of England. His Queen, Ann (the youngest daughter of the great Earl Warwick), was crowned Queen at the same time. Their only child, Edward, then ten years old, was created Prince of Wales and Earl of Chester, and was made Lord Lieutenant of Ireland. The Earl of Kildare was to be his deputy.†

Richard's progress.

Richard now made a royal progress with great splendour through the centre of England towards the

* See 6 Rot. Parl. 241.

† See in "Letters, &c., of R. III. and H. VII.," vol. i. p. 43, Rolls edition, the King's instructions to Sir William Lacy, directing him to open communications with Kildare to see if he will take the office of Deputy; and see another State paper at p. 71, containing a message from King Richard to the Earl of Kildare as to how "the great Onealle" [O'Neill] and "Odonnaylle" [O'Donnell] are to be dealt with touching the King's "erldom of Wolstre" [Ulster]. Richard writes to the Earl, especially requesting him to wear English clothing; and he sends him English clothes as per inventory. There are also letters from the King to Sir Alexander Plunkett and others thanking them for that they "daily kepe warre upon the King's ennemyes of the wilde Iresshe."

north, as far as York; and the ceremonial of his coronation was repeated in that city on the 8th of September. It was while he was on this progress, that the great crime which led to his ruin and death, and which has indelibly blackened his memory, was perpetrated in the Tower of London by his orders.

He is crowned a second time at York.

If the story of the illegitimacy of the sons of Edward IV. had been true, and if it had been generally believed by Englishmen to be true, Richard would have been safe on the throne as the rightful King. But Richard himself knew the story to be false; as he proved afterwards, when, after the death of his Queen and of his son by her, he sought to strengthen himself by a marriage with Elizabeth, the eldest daughter of Edward IV., and the full sister of those unhappy boys. Such a marriage would have been useless, unless the mother of Elizabeth and of those boys had been Edward IV.'s lawful wife. Richard's pretences about his brother's precontract had been assented to by many out of fear, and perhaps by a few out of belief in their truth. But the great majority doubted or disbelieved them. Risings to release the imprisoned true King from the Tower were talked of; and when Richard's agents reported this to their master, they reported also that the name of the Duke of Buckingham, who had so materially aided Richard to ascend the throne, was mixed up with the menaces of insurrection. Buckingham appears to have been an impulsive, weak man, easily worked on by any powerful mind that came into immediate operation on him. Morton, the Bishop of Ely, had been released by Richard from strict imprisonment, on a petition, which the University of Oxford presented in favour of that prelate, whom they regarded as an eminent ornament of their body. Richard had placed Morton at Brecknock Castle, under the care

The people disbelieve the story of the illegitimacy of the King's nephews.

Rumoured plots to restore Edward V.

The Duke of Buckingham reported to share in them.

Bishop Morton, placed in

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Buckingham's custody, converts his keeper.

of the Duke of Buckingham, to whom it belonged, and who had gone to his estates in Wales after Richard's coronation at Westminster. Morton soon acquired great influence over his keeper; and the ascendancy, which Richard had exercised over Buckingham, died away, when they were no longer in frequent intercourse with each other. It is probable that Buckingham and others had uttered unguarded speeches about Richard's title, which were reported to the King; and it seems clear that Richard thought himself insecure on the throne, while his nephews were alive. Before Richard returned to London, it was made known to the public that the two young Princes had ceased to live. All the contemporary evidence shows that they died in the Tower by a violent death; and the evidence is clear, full, and convincing, that Richard commanded them to be put to death. Rous plainly charges Richard with the murder, adding that it was afterwards known to very few by what death they suffered martyrdom. Rous's testimony, as we have seen, requires corroboration, but that corroboration is ample. Fabyan states that "Common fame went that King Richard had in the Tower put his brother's two sons to secret death." The Croyland Canonist says that it was commonly reported that the said sons of Edward were dead, but by what kind of violent death was not known; and he adds that their cause had been avenged in "this war," speaking of the war made against Richard, which terminated with his defeat and death at Bosworth. The writer of the History of Richard III. (which, as before stated, is to be considered as drawn up from at least the information given by Morton) narrates the murder in full detail, as ordered by Richard, and perpetrated by Sir James Tyrell and two ruffians employed by him. Even if we

The public are informed that the two young Princes are dead.

Evidence that they were murdered by Richard's orders.

consider More to have been the author of this part of the narrative, unaided by Morton, it is still entitled to great weight, for the writer expressly states that his narrative is the result of inquiries which Henry VII. caused to be made, and from the confessions of the murderers. We know that even at that time some persons expressed doubts as to the real fate of the princes, but we know also the main reason of these doubts to have been the circumstance that a search made for the bodies in Henry VII.'s time proved ineffective. But that cause of doubt was removed by the accidental discovery in Charles II.'s reign of the remains of two skeletons corresponding with the ages of the two princes, hid underground beneath an old staircase in the Tower. It may be added that the foreign contemporaneous chronicler, Comines, speaks positively, and in more than one passage of his Memoirs, of Richard having murdered his nephews;* and there is also extant, in the recorded speech of the French Chancellor before the States-General of France in 1484, explicit proof that Richard in his very lifetime was publicly regarded and spoken of as "the assassin" of his brother Edward's children.†

Against all this mass of condemnatory evidence, there is nothing to be placed, but the fact that, in the next reign, a young man appeared who asserted that he was Richard, Duke of York, second son of Edward IV.; and that he had escaped from the Tower

* Comines (ed. Dupont), vol. i. p. 69; vol. ii. pp. 157, 243.

† "Regardez, je vous prie, les évenements qui apres la mort du roi Edouard, sont arrivés dans ce pays. Contemplez ses enfans, déja grands et braves, massacrés impunément, et la couronne transportée à l'assassin par la faveur des peuples."—*Journal des Etats Generaux de France tenus à Tours en* 1483-84, p. 39. It is important to remark that this was said in January, 1484. The usurpation of Richard was in the preceding June, and the murder of his nephews is believed to have been in August. See the preface to Mr. Gairdner's edition of "Letters, &c., of Richard III. and Henry VII.," Rolls collection, vol. i. p. xxv., note.

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in his childhood. Many persons believed in the assertion of this adventurer; but the proof greatly preponderates that he was an impostor, named Perkin Warbeck.* And, even if we were disposed to believe the story that the young prince escaped, it in no way clears King Richard of the guilt of having designed the murder of both his nephews, and of having effected the murder of the elder one, of Edward V.

Popular indignation at this murder.

The English nation had, during the long civil war, become familiarised with scenes of cruelty and revenge; but no State-murder had ever before been committed in England so atrocious, or which raised so warmly the sympathies of every man, woman, and child with its victims, and their indignation against the author of the crime. Yorkists and Lancastrians joined in hatred against Richard, and in favour to the project, which the oft-defeated, but still devoted partizans of the Red Rose now advocated, of calling over from Brittany the young Duke of Richmond, who was regarded as the chief of the Lancastrians, and of uniting him in marriage to the Princess Elizabeth, who was now heiress to the rights of her father, Edward IV.

Yorkists and Lancastrians confederate against Richard.

Projected union of the Princess Elizabeth, of York, with the Earl of Richmond, the chief of the Lancastrians.

The mother of Henry Tudor, Earl of Richmond, was Margaret Beaufort, the daughter and heiress of John Beaufort, Duke of Somerset, and a descendant of the Duke of Lancaster. Henry thus was of the royal Plantagenet line; but he traced his pedigree up to King Edward III. through the first John Beaufort, who was the son of John of Gaunt and of Catherine Swinford, and who had been

Pedigree and position of Henry Tudor, Earl of Richmond.

* The proofs and arguments as to the murder of the Princes in the Tower, and as to the pretensions of Warbeck, are well summed up by Lingard in the notes C. and D. at the end of the fourth volume of his History of England. See also Mr. Gairdner's preface to vol. ii. of "Letters, &c., of Rich. III. and Hen. VII.," Rolls' collection.

born before his parents' marriage. An Act of Parliament had legitimated the children of Lancaster and Catherine Swinford; but it had especially excepted the right of succession to the Crown from its operation. Still, after Henry VI. and his son had perished, the young Earl of Richmond was looked on as the best chief, round whom the Lancastrians could have a chance of rallying.

Henry's father was Edmund Tudor, son of a Welsh gentleman named Owen Tudor, and of Katherine of France, the widow of Henry V. Edmund Tudor died in 1456, the same year in which his only child, Henry, was born, leaving his orphan son and his widow, the Lady Margaret (a name still gratefully known and venerated in both our ancient universities), to the care of his brother, Jasper, Earl of Pembroke, who, in 1461, was one of the leaders of the Lancastrian army, which Edmund of York defeated at Mortimer's Cross. The young Earl of Richmond was included in the Act of Attainder passed by Edward's first Parliament; but the Yorkist, William Herbert, to whom the earldom and the estates of Jasper were granted, showed kindness and gave protection to Margaret and her little son, when he found them in Jasper's castle, on taking possession. On the temporary restoration of Henry VI., in 1470, the young Earl of Richmond was brought to Court; and, according to the tradition preserved by the chronicler Hall, when the King [Henry] had a good space by himself secretly beholden and marked both his [the child's] wit and likely towardness, he said to such princes as were then with him, "Lo, surely this is he, to whom both we and our adversaries, leving the possession of all thynges, shall hereafter give room and place." This foreboding of the saintly King may have been cherished among the Lancastrians as a

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prophecy, and may have conduced to their afterwards regarding the young earl as head of their party.

1483. After Tewkesbury he is brought up in Brittany.

After the return of Edward IV., and the Yorkist victories at Barnet and Tewkesbury, Richmond and his uncle escaped by sea; and were driven on the coast of Brittany. The Duke of Brittany detained them for a long time, with a show of hospitality. As young Richmond grew up, and was spoken of as the hope of the Lancastrians, the jealousy of King Edward IV. was directed towards him; and the English King's agents vainly endeavoured to get him into their master's power. Richard III. renewed those attempts; but without success. The Earl of Richmond was joined in his exile by several of the Lancastrian fugitives, including Bishop Morton, who left Buckingham, and also by several of the Woodville branch of the Yorkist party.

The Lancastrian refugees, Bishop Morton, and some of the Yorkists collect round him.

Bishop Morton was the great organiser of the scheme for uniting the Earl of Richmond and the Princess Elizabeth, and of dethroning Richard by the combined efforts of Lancastrians and Yorkists. Before Morton left England, he had brought the Duke of Buckingham to concur in this project, though that ambitious but weak nobleman seems at first to have aspired to become king himself. Morton had found means to open communication with the Queen-mother, who was still in sanctuary at Westminster, with her daughter, and her son by her first marriage, the Marquess of Dorset. She readily gave her assent, and the confederates made their preparations for taking arms in the middle of October. The Earl of Richmond was to join them in the West of England, with forces brought over from the Continent.

Buckingham adopts the cause of Richmond and Elizabeth.

Failure of the first attempts

The first attempts made to overthrow King Richard were utterly unsuccessful. The Duke of Buckingham

raised his standard and mustered his adherents at Brecon, on the appointed day; and there were similar risings in Devonshire, Wiltshire, Berkshire, and Kent. But Richmond's armament, on which the insurgents relied as the core of their force, was blown back by adverse winds upon the French coast; and, before he could cross the channel, the insurrections in England were over. Richard had collected his forces at Leicester, and moved thence upon the southern and western districts. Buckingham's levies deserted him; and he was captured, and beheaded without form of trial. Some of the other chiefs of the movement escaped to the Continent, others were taken and executed. When the Earl of Richmond at last approached the Devonshire coast, he judged his force insufficient to act without assistance, and he sailed back to Brittany.

against King Richard.

Buckingham is taken and beheaded.

In 1484 Richard III. held his first and only Parliament. It is said by the Croyland Canonist* to have been completely overawed by Richard, and to have been eagerly subservient to all his wishes. The truth is, that all the Parliaments that were called during the period of the Civil Wars, were packed or intimidated; and each assembly echoed the will of the party-chief, who was victorious at the crisis when it was summoned. Richard's Parliament obeyed his will, in declaring him to be "undoubted King of this realm of England, as well by right of consanguinity and inheritance, as by lawful election, consecration, and coronation." They were equally subservient in attainting his enemies. But the fact that they were the mere puppets of the King, entitles Richard exclusively to the credit of the excellent statutes, that were passed by them, after the Act

Richard's Parliament.

All the Parliaments of that period subservient to the prevailing party.

* The Croyland Canonist says that the members of the Parliament acted "propter ingentem in constantissimos cadentem metum."

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Excellent legislation.

of Succession and the Bill of Attainder had been disposed of. Among the most valuable Statutes of this Parliament were an Act forbidding secret and fraudulent conveyances of property; an Act forbidding "the exactions called 'Benevolences'"; an Act prohibiting the oppressive seizure of property belonging to persons imprisoned on charges of felony before conviction, and empowering Justices of the Peace to bail persons arrested for felony on suspicion alone; and an Act for raising the qualification of jurors.

The protective laws.

It is only within the last thirty years that the English nation in general has learned to doubt the policy of trying to protect home-trades and manufactures by placing prohibitions or burdens on foreign competition. Several of Richard's Statutes were framed in this spirit, and are directed against foreign merchants and handicraftsmen, and against the importation of any in a long list of specified articles.* There is a remarkable exemption from the effect of this restrictive legislation, introduced by a clause, in which it is "Provided always, that this Act, or any part thereof, or any other Act made or to be made in this present Parliament, in no wise extend or be prejudicial, or any let, hurt, or impediment to any artificer or merchant stranger, of what nation or country he be, for bringing into this realm, or selling by retail or otherwise, of any manner of books written or imprinted, or for the inhibiting to any writer, limner, binder, or imprinter of such books as he hath, or shall have, to sell by way of merchandise, or for their abode in the same realm, for the exercising of the said occupations; this Act or any part thereof notwithstanding."

Exception in favour of free-trade in books, and printing.

This provision has been fairly referred to as showing

* Stat. of R. III. 5, 6.

"a dawning attention to the interests of literature," * and as proving that Richard appreciated the importance of the great art of printing, which had then been recently introduced.

Richard's statutes in English and printed.

It is also to be observed, that the Statutes of Richard III. were the first that were issued to the public in a printed form; and, moreover, they were the first that were drawn up as Statutes in the English language.

Other documentary evidence of Richard's good government.

Not only the Statute-book, but the Patent Rolls, and other public records of Richard's reign bear very strong testimony to the excellent manner, in which he wielded sovereign power, however deeply he may have sinned in obtaining it.†

This large mass of unimpeachable documentary evidence has been appealed to, by more than one recent writer, as proving that King Richard III. could not possibly have been the tyrannical monster, that he has been commonly represented to have

* Macpherson's Annals of Commerce, p. 703.

† The effect of a careful examination of the Patent Rolls of Richard III.'s reign is thus stated by the learned author of the "Annals of England," vol. ii. p. 102:—

"They prove him to have granted numerous pardons to his opponents, and to have been lenient in his treatment of their families; lavish in his own grants, and regardful of those of his predecessors; vigilant in providing for the defence of his shores, and the improvement of his ports; anxious to repress piracy, and ready to compensate the sufferers; desirous to encourage trade by affording protection to merchants and foreigners, of which they must have been fully sensible, judging from the numerous denizations recorded; guarding the purchaser against frauds in the wool manufacture, and also protecting the workman by directing his payment to be made in 'ready lawful money.' In his private character he appears grateful for services rendered to his House 'in prosperity and adversity;' mindful of old servants, and willing to lessen his own revenue to benefit faithful towns, or relieve distress. He devoted deodands and forfeitures to charity; liberated his bondmen; founded a collegiate church, and several chantries; bestowed alms on various religious bodies; and was a benefactor to a college in each University." Authorities for these statements are given in the "Notes and Illustrations" in the third volume. See also in Richard's Letters, &c., Rolls collection, p. 71, his care to relieve his tenantry from the oppressions of middle-men.

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Real character of Richard.

His remorse for his crimes.

been. It proves this; but it is vain to try to strain it into proving his innocence of the specific murders and other crimes, by which he changed his state from that of first subject to royalty. The truth seems clear, that Richard was a man of manifold and high abilities, and of many virtues; but that he was incapable of resisting the temptation which came before him, when sovereign power was brought within his grasp. For the sake of this, and for the sake of this only, he, like the high Roman of old,* could bring himself to commit crime, while, in all other respects, he studied justice and right. That such a man, after he had stained himself with such horrible guilt as the murder of the Princes in the Tower, should feel and show the workings of remorse, is quite consonant with human nature; and we may accept as perfectly true the account, which Morton, speaking through Sir Thomas More, has transmitted of Richard's demeanour. Morton says:—"I have heard by credible report of such as were secret with his chamberers, that after this abominable deed done he never had quiet in his mind; he never thought himself sure. When he went abroad, his eyes whirled about; his body was privily fenced; his hand ever on his dagger; his countenance and manner, like one ready to strike again. He took ill rest at night, lay long waking and musing. Sore wearied with care and watch, he rather slumbered than slept. Troubled with fearful dreams, he would sometimes suddenly start up, leap out of his bed, and run about the chamber. So was his restless

* Julius Cæsar was in the habit of quoting the lines in the Phœnissæ of Euripides—

Εἰπερ γὰρ ἀδικεῖν χρὴ, τυραννίδος πέρι
Κάλλιστον ἀδικεῖν· τἄλλα δ' εὐσεβεῖν χρέων.

Cicero (De Officiis, iii. 21) tells this with an indignant comment.

heart continually tossed and tumbled with the tedious impression and strong remembrance of his abominable deed." *

April, 1484. Richard's son dies.

In April, 1484, the King's only son, Edward, Prince of Wales, died, in his eleventh year, after a short illness. The Croyland Canonist writes, that both Richard and his wife, Queen Anne, were nearly driven mad by extreme grief at this bereavement. Late in the year the Queen's health failed; and her physicians pronounced that her life could not possibly be of long duration. She died in March, 1485. Even before her death, Richard formed the scheme of marrying Elizabeth, the eldest of his nieces,† and of so strengthening himself on the throne, and disappointing the views of the Earl of Richmond. As this scheme was conditional on Anne's death, Richard's enemies, when Anne died, spread a rumour that the King had caused her to be poisoned; but there does not seem to be any proof to support the charge. Richmond had intelligence of Richard's intention to contract this second marriage; and he probably had intelligence also that both the Queen-mother and the Princess Elizabeth favoured the King's suit.‡ This may have

His Queen ill to death.

His project of marrying the Princess Elizabeth.

The Earl of Richmond

* The genius of Shakespeare has given us a vivid image of the real Richard; but it is not in the Gloster and King Richard of the third part of Henry VI., and of the tragedy named after Richard. It is in Shakespeare's Macbeth, that we find the characteristics of the true Richard of history. It is there that we see high courage and abilities, a noble and kindly nature, yielding fatally to temptation, when a crown is held out as the prize of guilt. Crime leads to crime. "He becomes worse to make his title good;" but he cannot harden his heart. He cannot shake off agony and alarm, when he feels himself to be accursed of God and man. Superstitious terrors almost weigh him down; but he rallies in the closing scene of life, and falls, sword in hand, as a gallant soldier. Such was Richard Plantagenet.

† The Pope's power of dispensing with canonical restrictions was thought to extend to such a marriage.

‡ There is extant a letter from the Princess Elizabeth to Richard, which does little credit to the young lady's delicacy. It was published by Buck, and it has been cited by Lingard and others.

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made Richmond determine on no longer delaying a renewal of his expedition. The young Earl's preparations did not escape the watchfulness of Richard. The King applied himself to meet the danger with his accustomed vigour; but he knew his own unpopularity among his subjects. He could not rely on their free-will and loyalty to support him; and he was driven to extreme difficulty, when seeking means to raise and maintain an adequate force. In this emergency he had recourse to the system of extorting money under the name of "Benevolences," the very system which he, in the preceding year, had caused to be denounced and forbidden by statute. The city chronicler, Fabyan, says:—"King Richard, then leading his life in great agony and doubt, trusting few of such as were about him, spared not to spend the great treasure; but also he was in such danger, that he borrowed many notable sums of money of the rich men of this realm, and especially of the citizens of London." The Croyland Canonist says that the King's agents, "by prayers and threats, extorted from the chests of almost all ranks very large sums of money."

prepares a second expedition.

Richard's preparations to encounter it.

He has recourse to a "Benevolence."

His increased unpopularity.

This despotic taxation alienated the people more and more from the King; but it gave him the means of collecting an army, with which he posted himself at Nottingham. He was uncertain where Richmond would land, or in what quarter the general discontent would first break out into insurrection. He took all possible precautions for guarding the coast; and he fitted out a fleet to intercept Richmond's armament in the Channel. But the Earl effected, in August, a safe passage from Harfleur to Milford Haven; and he then marched boldly through Wales towards the centre of England, with a force not exceeding four thousand

August, 1485. Richmond lands at Milford Haven.

men. But he relied on the co-operation of many of the most powerful nobles, with whom he had opened negotiations; and who, although they still rendered a seeming obedience to Richard, and mustered their tenantry at his command, were ready to desert him when the crisis of the war arrived.

He marches into England.

Secret understanding of chief nobles with him.

The two armies encountered near Bosworth, in Leicestershire. Richard's force, on the day preceding the engagement, had been double the amount of that of his rival. But, on the dawn of the day of the battle, Lord Stanley and his power abandoned Richard, and ranged themselves with his adversaries. And when the King gave the signal to advance and engage the enemy, he saw the Earl of Northumberland, who headed another large division of the royal army, remain inactive, in disobedience of orders. The King saw that he was betrayed, but that it was yet possible to win the day, by breaking the part of the enemy's line where Henry was posted, and by slaying Henry himself. Richard wore his crown outside his helmet; and he is said to have exclaimed, when advised by some of his adherents to turn and fly, "By Him who shaped both sea and land, I will live, or this day die King of England." Calling on those around to follow, he spurred forward to where his adversary's standard was displayed. He slew with his own hand Sir William Brandon, the standard-bearer, and he dashed the standard to the ground. A redoubted Lancastrian champion, Sir John Cheny, encountered him, but was struck by Richard from his horse. Richard still hewed his way forward, striving to reach Henry himself; but few had followed the King, and numerous enemies gathered before and around him; and thus, in the words of the chronicler of the time, "King Richard, while fighting, and not in the act of flight,

The armies meet near Bosworth.

Richard is deserted by Lord Stanley.

Betrayed by the Earl of Northumberland.

Resolution and valour of Richard.

Death of Richard.

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was pierced with numerous deadly wounds, and fell in the field, like a brave and most valiant prince."

His death decided the battle of Bosworth, which concluded the series of the Wars of the Roses. In those wars thirteen pitched battles were fought, and the greater part of the ancient nobility of England perished, either in the field or by the axe of the executioner. The total number of the slain of all ranks is computed at upwards of one hundred thousand.

Richard's body was carried to Leicester, and buried in the church of the Grey Friars there, with little ceremony. The crown, which he had worn in the engagement, was found lying near a hawthorn-bush. Sir William Stanley placed it on the head of the victorious Earl of Richmond, on the battle-field; and the soldiery saluted him with shouts of "Long live King Henry." He was crowned at London in the following October; and his marriage, in the next year, with the Princess Elizabeth united the long warring Houses of York and Lancaster.

Constitutional history, from 1455 to 1485.

Importance of Parliaments recognised.

A period of thirty years, only twelve of which were undisturbed by civil war, can hardly be expected to be one of much interest with regard to constitutional progress. Yet we shall find that the importance of Parliament, in theory, at least, was maintained, and even augmented during the Wars of the Roses; inasmuch as each of the contending parties sought eagerly, when successful, a parliamentary recognition of the victor's claims to the throne, and employed still more eagerly the sanction and machinery of parliamentary bills of attainder for the destruction of its adversaries. Neither Margaret, nor Edward, nor Warwick, nor Richard sought to rule without a Parliament, however much they may have packed and influenced those assemblies.

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The great principles, that the English is a limited monarchy;—that the King must rule according to law;—that he cannot change the law, save "with the concurrent consent of the whole kingdom by their representatives in Parliament;"—and that he has no right to tax his people without their like consent,—were as fully recognised in the reign even of the powerful and victorious Edward IV. as under any of his predecessors; far more so, indeed, than was the case in the times of some of his successors. Our great text-books for demonstrating the free character of the early English Constitution are the two treatises of Sir John Fortescue, "On the Praises of the Laws of England," and "Of the Difference between an Absolute and Limited Monarchy." Fortescue had been Chancellor to Henry VI., and tutor to his son, but he made his peace with King Edward after the battle of Tewkesbury; and he repeated in his second treatise (written and published when he was patronised by Edward) the liberal maxims of government, that he had laid down in his first treatise, which had been written for the instruction of the young heir of the House of Lancaster.

Fortescue's treatises prove the acknowledged limitations of English monarchy.

There is also the very valuable testimony to the same effect, of the foreign historian, Comines, a statesman who, like Ulysses, had seen the dwelling-places of many men, and learned their habits and dispositions. Comines expressly states that England, of all the realms that he knew, was the country, where the common weal was best ordered, and where the least wrong was practised upon the people. His evidence may be compared with that of Froissart a century earlier.*

Testimony of Comines to the good government of England, and to the power of her Parliaments.

The same acute observer mentions, as a well-known fact, that the Kings of England, before they sent out a

Testimony of Comines that the

* "Entre toutes les seigneuries du monde dont j'ay congnoissance où la chose public est mieulx traictée, où regne moins de violence sur le peuple,

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warlike expedition, or took in hand any such work, were obliged to consult their Parliament. He says that this dependence of a King on his Parliament is "a just and holy thing," and he points out, with rare sagacity, that it was a source of strength to the English Kings themselves, inasmuch as the nation served them all the better in enterprises, which it had embarked in of its own free will, and it would not quickly abandon a contest so commenced.*

Kings of England are bound to take the advice of Parliament.

The general population suffered little by the civil war.

Comines also noticed the small amount of waste and of suffering among the general population, which the civil wars caused in England, compared with the effects of war in other countries. We must believe that much havoc and devastation were wrought among the central counties by Margaret's northern army in 1461. But with this exception the troops of the rival Houses seem to have spared non-combatants, and to have abstained from the destruction of villages and towns. As Comines phrases it, "The fortune of war fell upon the men of war, and especially upon the nobles, against whom too great rancour was shown." †

General order of government maintained.

The general orderly course of civil government appears to have been maintained. In some of the state trials for treason, and in the passing of bills of attainder,

ou il n'y a nulz edifices abatuz ny desmolis pour guerre, c'est Angleterre ; et tombe le sort et le malheur sur ceulx qui font la guerre."—2 Comines, 142, ed. Dupont.

The remarks of Froissart as to the power of the English Parliament, and that "Engleterre est la terre dou monde la mieulz gardée," are quoted in p. 219, *supra*, and note.

* "Le Roy ne peult entreprendre une telle œuvre sans assembler son parlement (qui vault autant a dire comme les trois Estatz) qui est chose tres juste et saincte ; et en sont les roys plus fors et mieulx servis, quant ainsi le font en semblables matieres, car l'yssue voulentiers n'en est pas briefve." —Comines, vol. i. p. 314.

† See the extract from 2 Comines, 142, already quoted ; and see p. 154 of the same volume, where he says that in England "Tombe la fortune sur les gens de guerre, et, par especial, sur les nobles contre lesquels ilz sont trop envieux."

little heed was paid to either the forms or the principles of justice; but as between man and man the laws were steadily and fairly administered. Indeed, the ablest historian of the English law points to the latter part of the reign of Henry VI. and to the reign of Edward IV. as the period when "the courts of law enjoyed an entire peace; and when justice was administered with a precision, learning, and effect that has not been surpassed in any time before or since."*

The laws, as between one subject and another, steadily and ably administered.

The system of trial by jury had become, before the close of the fifteenth century, similar in most respects to what we are now familiar with. It is minutely described by Fortescue in his treatises on the laws of England; and he boasts of trial by jury as the peculiar glory and right of Englishmen. He specially mentions the right of challenge, and the calling of witnesses† to give evidence before the jury. But the jurors were still summoned from the neighbourhood, where the alleged transaction, which was the subject-matter of the inquiry, was said to have occurred. They were still not only allowed, but required to use their own personal knowledge of the facts, as helping to guide them to their verdict.

Trial by jury described and eulogized by Fortescue.

Jurors still act partly on their own knowledge.

Fortescue expressly states that the law of England does not allow the obtaining of confessions of guilt by the application of torture. He speaks with just indignation and abhorrence of that practice, as it existed in France and other countries. There is, however, unhappily, too ample proof‡ that the torture, though

Torture declared illegal.

* Reeve, Hist. English Law, vol. ii. 654, Finlayson's edition.

† He is much more explicit as to the calling of witnesses on both sides in civil cases, than he is with regard to criminal cases. It is clear from the 28th chapter that witnesses were heard to prove a charge. Nothing is stated about evidence being adduced on the part of the prisoner. See as to this Mr. Amos's note to his edition of Fortescue, p. 95.

‡ See Mr. Jardine's Reading "On the use of Torture in England." I

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thus denounced as unlawful by the highest legal authority, was occasionally employed against prisoners charged with treason or treasonable practices. According to the traditional story, the rack was brought into the Tower by the Duke of Exeter, in Henry VI.'s reign, and was called "the Duke of Exeter's daughter." I do not think that there is any proof of ordinary criminals having been "put to the question" by torture in England.

Maxim that the King must act through responsible agents.

There is a constitutional maxim of very great importance, which cannot certainly be said to have been established in the fifteenth century, but which is supported by authorities of that date. This is the rule that "the King can do nothing in his public capacity without the agency of some responsible minister." It is a corollary on this proposition, that a man, who does a wrong to another, cannot excuse himself in the eye of the law by proving that he did so by royal command. Edward IV., by the part which he took in the proceedings against the Duke of Clarence, and by other personal interferences with judicial proceedings,* set at defiance the feeling of restraint, by which his predecessors for certainly several reigns past had been influenced. But Fortescue in his treatise on the laws expressly tells his royal pupil that it will be his duty, when he is King, to administer justice, not personally, but by the mouths of others, his judges; and that it has never been customary for the King of England to

The King's personal command no legal excuse for a wrong-doer.

Edward IV.'s personal interference in judicial matters.

doubt if he is accurate in saying that Fortescue admitted that Torture was practised here. The instance of false condemnation procured by Torture, which Fortescue alludes to in his 22nd chapter, seems to be spoken of by Fortescue as having happened in France, not in England.

* "It is said by the writer of the History of Croyland Abbey that this King went in person with the judges to try criminals in different parts of the kingdom, "nemini, etiamsi domestico suo, parcens, quo minus laqueo pendent, si in furto vel latrocinio deprehensus fuerit."—Reeve, Hist. Eng. Law, vol. iii. p. 110.

pronounce judgments himself. King Edward IV.'s own chief justice, Markham, decided that the King cannot himself sentence to imprisonment.* And there had been, in the twentieth year of Henry VI.'s reign, a most important judgment, that the King cannot legally command a man to be arrested, even in the royal presence; but an action for false imprisonment will lie against him that made the arrest. There was a similar decision in the second year of Richard III.

General history.

The last survey that we took of the other kingdoms of Europe, was when we had reached the commencement of the wars between England and France in the reign of Edward III.† In treating of the history of England during those wars, we have in effect been also watching the history of France. A few remarks only are required on the state of that country after the reign of Charles VII., or Charles the Victorious, as the King was called, under whom France liberated herself from the English. His successor, Louis XI., during a reign of twenty-two years, employed his great abilities and his unscrupulous craft in lowering the power of his nobles, and in withstanding the aggressive ambition of his nominal vassal, but real rival, Charles the Bold, Duke of Burgundy. We have had occasion already to mention the unsuccessful war upon the Swiss which was waged by this last-mentioned Prince, and his death in 1477. King Louis instantly seized upon the Duchy of Burgundy, and re-united that important province to the possession of the French crown. The Flemish provinces, which the Burgundian Dukes

State of France.

The Burgundians and The Swiss.

The province of Burgundy re-united to France.

The Flemish pro-

* See De Laudibus Angliæ, c. viii., and the comments on this chapter in Amos's edition, p. 23, note B.

This passage of Fortescue, and the decisions in the year-books referred to in the text, were cited by Lord Coke in his argument in defence of the liberty of the subject from imprisonment by royal prerogative. See the conference between the Lords and Commons, Parliamentary History, vol. ii. p. 226.

† See p. 72, *supra*.

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vinces are acquired by the House of Austria.

had acquired by the marriage of Philip the Good with the daughter of the Count of Flanders, and had ruled for nearly a century, now passed by marriage to the House of Hapsburg. This was effected by Mary, the heiress of Charles the Bold, marrying Maximilian, who was son of Frederic, Archduke of Austria, and Cæsar of the Holy Roman Empire, under the title of Frederick III.

Provence re-united to France.

Provence came into the possession of King Louis by testamentary disposition in 1481. On the death of Louis, in 1483, Anne de Beaujeau, who was Regent during the boyhood of her brother, Charles VIII., continued the late King's policy of depressing the nobles and increasing the sovereign central power. The marriage, in 1491, of the heiress of Brittany with Charles VIII. completed the consolidation of the French monarchy; and a young, ambitious King acquired full means and opportunity for seeking conquests beyond the Alps.

Wealth and weakness of Italy.

Italy, eminently civilized and prosperous, had become weak and unwarlike amid her wealth and refinement, and was tempting the grasp of many spoilers. Her most imminent peril, twenty years before the close of the fifteenth century, seemed to be from the Ottoman Turks, who, under their Sultan, Mahomet II., had in 1453 taken Constantinople, and destroyed the old Roman Empire of the East, which, under the name of the Greek Empire, had lingered on for so many centuries. The victorious Sultan had pushed his conquests further, both by sea and by land, at the expense of Christendom, though he was materially checked by the valour of Scanderbeg in Albania, by the glorious repulse which Hunyades gave the Ottoman besiegers of Belgrade, in 1456, and by the equally heroic and successful defence of Rhodes, in

Her dangers from the Turks.

1453. Turkish conquest of Constantinople.

Extinction of the Greek empire.

Farther progress of the Turks.

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1480, which was accomplished by the Knights of St. John of Jerusalem, who had established themselves in that island in 1311, when obliged to retire from Palestine. But a Turkish expedition sent against Italy in 1480 had been more successful. Ahmed Kedek (who had previously conquered the Crimea for the Sultan) landed on the Apulian coast, and made himself master of the strong city and valuable harbour of Otranto. This secured an entrance for the Turks into Italy from the south; and their troops had already in 1477 marched round the north of the Adriatic, menaced Venice, and spread desolation beyond the Isonzo and the Tagliamento. The Venetians had purchased a truce; but fresh invasions by the conquering Ottomans were expected with fear and trembling. The boastful threat of the Sultan that his horse should eat oats from off the high altar of St. Peter at Rome, seemed likely to be realised, when the sudden death of Mahomet, in 1481, gave relief to Christendom. His successor, Sultan Bajazet II., recalled Ahmed Kedek from Otranto to aid him in civil war; and no settlement of the Turks within the Italian peninsula was again effected.

1480. The Turks occupy Otranto.

In Germany, the Imperial power had sunk to the very lowest ebb. The Emperor, Frederic III., thought almost exclusively of aggrandising his own family, the House of Hapsburg; and great part of his long reign was spent in calamitous and ignominious struggles against King Matthias, of Hungary, who forcibly occupied Frederic's hereditary Austrian dominions, and drove the Emperor as a fugitive, and almost as a mendicant, from town to town. Meanwhile, the chief Princes of North and Central Germany were acquiring increased importance. The House of Hohenzollern appeared in growing strength in the

State of Germany. Extreme weakness of the Empire.

Growing power of the Princes

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of North Germany.

north east. The Electors of Saxony and of the Palatinate were independent and strong rulers. In Bavaria, in Wurtemburg, in Hesse, the same process was carried on, of blending together numerous small districts, and of moulding them into substantial principalities. The great cities also fully maintained their rights of self-government, and made further advances in wealth and authority. There were, moreover, the numerous nobles, who were inferior in power to the Princes, but who disclaimed subordination to them; and, in addition to these, there was the powerful body of Knights of the Empire, who lived each in his strong castle, setting superior authority at defiance, and claiming (as all the other powers, which have been mentioned, claimed) the right of seeking redress for any wrong, real or imaginary, by making war upon the alleged wrong-doer. A grievous amount of strife and confusion was the inevitable result of the co-existence of so many powers and orders, with their relative rights ill defined, and with no effective paramount superior. Yet Germany had all the elements of strength: industrial and commercial activity, manly courage, military discipline, aptness for local self-government, and a growing spirit of intellectual free enquiry.

The Papacy recovers power.

The Empire's old enemy, the Papacy, had recovered much of the strength, which it had lost during the Great Schism. The skilful policy of Pope Martin V., of Nicolas V., and of Pius II., defeated the attempt made by the Prelates, who assembled at Constance and at Basle, to provide for the regular meeting of general Councils, and to uphold the superiority of Councils over Popes. The efforts, that had been made for the extinction of admitted abuses were evaded, and the indignation of reformers was pent back until

the coming century. Rome was again the established residence of the Supreme Pontiff; and the Papal Court began to be pre-eminent for splendour, for patronage of literature and art, and also for the luxury and vice of those by whom it was frequented.

Growing importance of Spain.

A nation, which had hitherto exercised little influence beyond its own frontiers, was now rapidly consolidating its resources, and preparing itself to assume the very first station among the powers of Europe. This was the Spanish nation. The marriage of Ferdinand of Arragon with Isabella of Castile united under the same rule all the Christian Kingdoms of the Peninsula, except Navarre and Portugal; and at the time when our Wars of the Roses ended, Ferdinand and Isabella were engaged in victorious warfare against Granada, the sole remaining possession of the Mahometans in Spain.

Maritime discoveries of the Portuguese.

In Portugal, Prince Henry, "one of the most notable men, not merely of his own country and period, but of modern times, and of all nations,"* had from 1418 to 1463 been urging forward the successive discoveries of new regions along the African coast, from Cape Nun to Sierra Leone. The spirit of maritime enterprise, which Prince Henry of Portugal thus created and so long maintained among his countrymen, survived its founder; and by the date at which we have paused in the history of England—the year 1485—the Portuguese adventurers had discovered the Gold Coast, and the King of Portugal had assumed the title of "Lord of Guinea." Only two more years were to pass, before the discovery, by Bartholomew Diaz, of the extremity of the African Continent, named by the Portuguese King the Cape of Good Hope.

The excitement produced by these maritime achieve-

* Help's Spanish Conquests in America, vol. i. p. 16.

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ments was not limited to Portugal. Columbus was already in Spain, seeking means for the realization of his great project of a westward voyage to the Indies. Throughout Europe seafaring men, and scientific men, and commercial men, and theologians, and aspiring princes and grandees, began to listen with curiosity and interest; and some began to take active part in schemes for voyages and discoveries, which, if mentioned a century earlier, would have been dismissed as visionary and insane. This awakening of zeal for transmarine adventure and achievement came simultaneously with the brilliant revival of classical learning, especially among the Italians. The conquest of Constantinople by the Turks drove many learned Greeks to Europe; and, promoted by their teaching, the study of the Greek poets and philosophers in the originals was carried on with enthusiastic and constantly increasing ardour. This added to the boldness in speculation and the love of novelty, which had, from other causes, begun to characterise the intellectual movements of the age. The full effects of the restoration of the classical authors to their old empire on men's minds were not yet experienced northwards of the Alps; but the influence of the revival was already felt throughout Europe; and the scholars were growing up, who, early in the next century, were to imitate, and to rival even the most learned and polished Italians.

Excitement produced throughout Europe by these discoveries.

Other causes of intellectual movements.

Still more strongly was the advancement of intellectual activity aided during the last half of the fifteenth century by the discovery and rapid progress of the art of printing. The power of swiftly and cheaply multiplying copies of a book, in a more conveniently transmissible, and a more easily legible form, than that of the best manuscript, gave now to an

Art of printing.

author an increase of mental and moral authority over his fellow men, somewhat resembling the increase in importance and the extension of operations, which the steam-engine has in our own age given to inventions in mechanics and manufactures. The circulation of printed books created hosts of readers, who otherwise would have remained ignorant of any kind of literature, ancient or modern. It gave an immeasurable increase to the weight of public opinion. It stimulated discovery. It promoted discussion. It made the suppression of opinions difficult, and generally impossible. It shook to the very base every institution, that was founded on fraud, or upheld by unjust force. It gave, also, weapons to those, who seek violent changes merely from the love of innovation and violence. Among the numerous causes, which co-operated in giving European history the altered character, which we discover in it during and after the close of the fifteenth century, none have been more operative than the invention of moveable type.

Feudalism decayed but not extinct.

The last half of the fifteenth century is commonly spoken of as the period when Feudalism was in its "death-struggles." A phrase, which implies that it has ceased to exist, is inaccurate. Feudalism has even now vitality and influence in many countries, especially in our own. But, certainly, during the period above-mentioned, and during the first half of the following century, Feudalism was shorn of more than half its strength, and lost that predominance over all other institutions, which it had exercised throughout the greater part of Europe for more than four hundred years. The power of kings had now increased and was increasing; the power of the middle classes had now increased and was increasing; and both these increases were wrought at the cost of the old landowning aris-

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Effects of the invention of firearms.

tocracy, at the cost of the Feudal Nobles. Moreover, Feudalism was essentially a Military institution; and the employment of gunpowder was now beginning to work an unprecedented change in warfare, as to its weapons, its usages, the comparative importance of the various kinds of combatants, and, consequently, as to the importance of the classes of society, whence those combatants respectively were supplied. The armour

Uselessness of armour.

of the noble knight, and of his war-horse, was useless in front of the musket or arquebuss, which hired peasants and artizans were now trained to use. The

Baronial castles conquered by cannon.

castle walls, also, which had long enabled many a haughty Baron to set his sovereign's authority and his country's laws at defiance, were now breached and shattered by the cannon-ball. Kings and cities, that could pay for fire-arms, and for trained soldiers with skill to use them, looked with indifference and almost contempt, on a glittering array of steel-clad nobles, and knights, and men-at-arms, such as once inspired very different feelings.

These changes were not effected all at once; nor was their operation felt at the same time, or in the same degree, in the various countries of Europe. But the general current of change was universal, and no re-

Evils to civilisation that were caused by the use of firearms.

action followed. It was a change not unattended with evils. Small civic Republics could no longer trust to the fortifications of their capitals to protect their independence against the hosts of foreign conquerors, or the trained mercenaries of neighbouring petty despots. War became more and more a trade—a selfish and a sanguinary trade, in which the great capitalists, that is to say, those who have large armies at their disposal, soon began to display a spirit of wider speculation, often ruinous to themselves, and always calamitous to their fellow-creatures.

CHAPTER X.

Progress of the English Language and Literature in the Fourteenth and Fifteenth Centuries — English Literature practically begins in Edward III.'s Reign—Chaucer—Langland—Minot—Occleve—Gower—Songs and Carols—Wyclif—Mandeville's Travels—Fifteenth Century—Lydgate—Old English Ballads—Pecock—Fortescue—Malory—Romances—Caxton—State of Learning—Decline of Scholasticism—Colleges—Public Schools — State of Classical Learning — General Education of Nobility and Gentry.

English language established as the language of England.

It has been mentioned in the preceding volume of this work, that English had become the mother tongue of all classes in England, before the end of Edward I.'s reign, although French was generally learned by the children of the aristocracy as an accomplishment, and continued to be the language of the Court. Attention has also been drawn in the present volume to the clear proof, which we possess, of the complete predominance of the English language in England by the middle of the fourteenth century.* After the loss of Acquitaine, French became to all intents and purposes a foreign language, even to our Kings; and our occupation of the provinces in Northern France, which Henry V.

* See pages 482 and 484 of the first volume, and page 232 and note of this volume. See also the extract in the note there from the remarks of Mr. Wright in the preface to his collection of Historical Songs.

A well-known passage in Chaucer ridicules the French, which English school-girls learned at his time in England, with a pronunciation very different from the Parisian. Froissart, in one of the last written parts of his Chronicle, notices King Richard II.'s familiarity with French as something remarkable. Gower, who wrote the last considerable work in the French language that appeared in England, makes an apology for writing in a foreign tongue.

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conquered, was too brief to affect sensibly the way in which Englishmen spoke and wrote.

Development of the Anglo-Saxon into English.

I have not space in this work (nor does the subject of this work necessarily require me) to discuss the various opinions of recent and present eminent philologists, as to the stages of the formation of the English language, or as to the distinctive name which should be given to it in each of those stages. Our language is still essentially the same language, that was spoken here, before the Norman conquest, by our Anglo-Saxon ancestors; but it is so changed in form and structure, that, before a modern Englishman can understand an Anglo-Saxon book, he must regularly educate himself for the purpose, as for the acquisition of a strange tongue. But we can take up Mandeville, or Chaucer, or most * of the other writers of the fourteenth century, and read the book with the occasional help of a glossary, and by noting and remembering a few peculiarities of etymology. This enables us to give a practical meaning to the word "English" as applied to our literature. It means such English as is intelligible, or can be easily made intelligible to a modern Englishman. We find English of this kind abundantly in writers of the fourteenth century, and we do not find it to any considerable amount at an earlier date.

Anglo-Saxon must be studied before we can read it.

Old English can be read with only a little help.

English literature means literature in such English as we can understand.

This begins in the 14th century.

It is not to be supposed that any sudden and violent change in the language of the land had taken place about this time. The processes by which Anglo-Saxon developed itself into English were very gradual, and they were far from uniform throughout the country. We scarcely possess enough writings of the period of transition to exhibit all the detailed stages of the transmutation; and there are several compositions of various

No sudden change.

* Some are exceptionally difficult: Langland is one of these.

dates, especially between 1150 and 1250, which it is difficult to find reason for assigning to either one class rather than to the other. As we proceed, we find here and there a popular song, or a state document, that seems more and more like our modern way of speaking and writing. We find also translations into the vernacular English of the time being from chronicles and romances, which were originally written in Norman French or Latin. In Edward II.'s reign at least four original poems were written in the current language of the land; but none of these have any intrinsic merit, or would ever be studied except as writings of mere philological or antiquarian interest. But in Edward III.'s age (by which period the main changes from Anglo-Saxon to English had been completed) a great number of English writers of very high merit appeared, whose works we are glad to read for the sake of their own intrinsic worth and beauty, and not as mere archaic curiosities. The age that produced Chaucer, Langland, Mandeville, and Wyclif, is brilliant among the centuries of English literature. It was unequalled until the Elizabethan period. It will be my endeavour here to give some account of its chief productions; but I shall not attempt a complete survey of all the English authors of this, or of any other epoch; nor, when I name a writer, do I feel bound to discuss, or even to mention all his works.

Great number of English writers in Edward III.'s age.

Excellence of many of them.

The great literary glory of this age is the poetry of Chaucer. Chaucer lived from 1328 to 1400. His earliest poem, "The Court of Love," is supposed to have been written and published when he was about twenty years old; the last and greatest of his works, "The Canterbury Tales," was commenced by him after he had reached his sixtieth year. He was, by family, one of the gentry, though not one of the

Chaucer, "The Morning Star" of English verse.

Chaucer's works and life.

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nobility of the land. He married one of the maids of honour of Queen Philippa's household; and great part of his life was passed at the Court of King Edward III., or in attendance on one of Edward's sons. He was at one time in the household of Lionel, Duke of Clarence; but his chief patron, during the last half of his life, was John of Gaunt, Duke of Lancaster. He also received aid and encouragement from Richard II. and his Queen Anne; and, though he is supposed to have been in disgrace and difficulties between 1381 and 1389, the general course of his long life appears to have been easy and prosperous. He had received part of his education at each of our universities. He had travelled over the principal countries of Europe. He was not only familiar with the pomps and pageantries of military life, but also with the realities of war. He had every advantage for becoming the poet of chivalry. His natural genius enabled him to be that, and much more.

Many of his poems allegorical.

A great number of Chaucer's poems are allegories; and allegories are almost always more or less tedious. There is none of Chaucer's poems, that does not contain many beautiful lines; and there are few, that do not contain several beautiful passages. But his writings during the earlier part of his life, while he was imitating and often translating old romance models, would not have established him on the pinnacle of fame, which he holds in his country's, and, indeed, in European literature. His latest writings are his best. Even in these he makes frequent and copious use of antique and of foreign models; but he does himself more justice, than was the case in his earlier compositions. He trusts his own original powers. He sketches characters, and he draws lines of narrative. His productions have human interest; and, therefore, the

His last works his best.

successive generations of human beings "will not willingly let them die." His "Troilus and Cresseide" still finds many readers; but it was not till he undertook his last composition, "The Canterbury Tales," that his full powers were displayed. By the happy scheme of the "Prologue" to the "Tales," in which he describes the various personages (drawn from almost all ranks of society) in whose mouths the "Tales" were to be placed, he gained and used with unsurpassable skill a golden opportunity for showing his knowledge of human nature in its manifold moods and developments, and his sympathy with human feelings in the troubles, the merry-makings, the plans, the rivalries, the caprices, and the jests of every-day life, as well as on grave occasions of "high actions and high passions."

The Canterbury Tales.

It is in creative power that a poet's genius is most truly displayed; and in the creation of characters Chaucer is unsurpassed, except by Homer and Shakespeare, as to the variety, and as to the vivid naturalness of the ideal personages, whom he calls into existence. The "Prologue" to the "Canterbury Tales" is like a picture-gallery, in which the representatives of almost every class of English society in the fourteenth century are grouped before us. Yet, the metaphor from the art of painting fails to do justice to the poet; for he has made the share, which each person takes in conversation, and the kind of tale, which each person narrates, tend as much to give distinctive reality to each character, as is done by the prefaced description of personal appearance, of costume, of manner, and of occupation.

Chaucer's power and versatility in creating characters.

Characters in the Canterbury Tales.

In a former chapter of this volume I have quoted Chaucer's description of the Shipman* of that age, and

* See p. 96, *supra*.

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I have referred to his sketch of the English Yeoman, the archer with "the mighty bow." I have also already * drawn attention to the country Clergyman, the Parson of a township, poor in worldly goods, but "rich of holy thought and work," whom Chaucer has depicted. I will not now pause to particularise other characters among his group of Pilgrims. All are drawn to the life, from the noble Knight and the graceful Prioress, down to the rough Miller and the simple Plowman. I will quote only one couplet from the description of the Scholar. I select it, because it exemplifies the Sophoclean power, which Chaucer possessed, of enshrining in a single couplet or line an almost infinite treasure of poetical and philosophic thought. Chaucer says of his "Clerk of Oxenford" that—

> Sounding in moral virtue was his speech,
> And gladly would he learn and gladly teach.

How well must the man, who wrote that last line, have understood the true nature of knowledge, and the true spirit in which it should be sought and used. He must have been conscious also that knowledge, when it is so sought and used, is its own exceeding great reward.

His plots. His occasional power.

Few of the stories or plots of Chaucer's poems were of his own invention; but he has many, very many, scenes of striking power and deep pathos. But while he never shows deficiency, and never unduly accumulates words, or repeats ideas in passages of pathos, it cannot be said that he is always powerful, where power should be shown. He is often diffuse and prolix; though able, by occasional effort, to bring the grand features of his subject effectually before us in a few expressive words. The want of sustained energy is his

But frequently diffuse and weak.

* See p. 249, note, *supra*.

main defect. This, and the positive vice of ribald coarseness, which deforms many of his writings, will always make the number of those, who read Chaucer through, and who read him more than once, extremely limited. But, fortunately, from the scheme of his greatest work, and from the general nature of his poetry (the interest of which rarely depends on the skilful development of a story) he may be judged of by selected portions, much more advantageously, than is generally the case when we deal with detached fragments of a poet. The "Prologue" to the "Canterbury Tales," some of the tales themselves, parts of "Troilus and Cresseide," with extracts from the "Legend of Good Women," and "The House of Fame," might make up a little volume of verse, the first, and, with a few exceptions, the fairest, among the productions of the long series of the poets of England.

His sense of the beauties of Nature.

Chaucer's power and variety of humour are marvellous. He is unequalled in that quality, except by Shakespeare, Cervantes, Molière, and Fielding. Our notice of him would be very imperfect, if we were to pass over his exquisite sensibility to the beauties of external nature, and the fidelity, as well as the feeling, with which he describes them. This may, perhaps, account for the revival of Chaucer's popularity, which took place early in the present century, when Wordsworth by precept and example showed the value of these qualities in a true and a perfect poet. The poetical taste of the preceding century had been, to say the least of it, deficient in this respect; and Chaucer had been during that period comparatively little honoured.

Chaucer's language has been over-praised as to the purity, or rather the purism of its English. It is far from being

"The well of English undefiled,"

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His diction.

Frequent Gallicisms.

which we often hear it called. He uses a very great number of French words and French phrases; far more in proportion than are found in the best of his contemporaries. Moreover, this abundance of Gallicisms in Chaucer is not wholly attributable to the nature of his subjects. We meet with them in poems, and in parts of his poems, where he is not treating of chivalry or of Court life. But, whatever the sources of his diction may have been, the result is that he wrote in a rich, graceful, and varied style; and he is easier for us to understand, than any other writer of his century, except perhaps Mandeville. His ear for melody must have been exquisite. His rhythm is always beautiful, though the rhymes are often irregular. He used several metres, and he used them all with perfect mastery. But his favourite metre is that, which he established (if he did not actually introduce it) as the heroic metre of English, the metre of lines of five accents each, rhyming in couplets.*

Beauty of his rhythms.

The other great poet of this period is William

* Chaucer, like all other really melodious English poets, is to be scanned by numbers of accents, not by numbers of syllables; although the proportion of one accent to two syllables is generally observed. Each accented syllable must be combined with at least one unaccented syllable. But the details of the principles, on which Chaucer is to be scanned, make a matter for much discussion, and they have long done so. When Chaucer is read, as we read a modern poet, his verses frequently present two kinds of difficulties, one of which is much more easily remedied than the other. When the syllables in a line fall short of the quantities which our ear expects, we may generally make good the deficiency by reading the final *e* of some word or words in the line, as the final *e* is read in German, that is, by sounding it as a syllable, as lové, palé, falsé, &c., and not love, pale, false, &c.; and a very great number of words had a final *e* in Chaucer's time that are no longer written with one now. The termination *ed* of the past tense of the verb, and of the participle, is almost invariably to be sounded.

When the number of syllables in a line of Chaucer is in excess of the quantities, which the ear expects, we have no summary resource. The reader must in such case suspect one of three things. First, that the manuscripts from which his edition was printed are inaccurate; secondly, that his own ear is inaccurate; or, thirdly, that Chaucer's ear was inaccurate. The first or the second supposition is far more likely to be well founded than the third.

William Langland. One-sided power. Invective.

Langland. He is not, indeed, to be ranked with Chaucer as to versatility of creative power, or as to pathos or humour, or as to loving portraiture of the beauties of nature. The strength of Langland's genius is shown in stern invective:—not vague declamation, but invective, which is prompted and guided by a true insight into the vanities and vices and negligences of mankind in their various stations of life. His fiercest indignation is ever kindled against any kind of hypocrite; against "him who has a lie in his right hand." Langland, though cynical towards the rich and gay, is not a misanthrope. He has a kindly sympathy with his fellow-creatures in their sufferings, and an earnest respect for honest poverty, for the worth that is veiled in low estate. He seems to have thought that his mission was to give a voice to the feelings of the mass of the people; which he does by exposing and denouncing the corruptions of the State, of the Church, of the law, and of social life among the higher and middle classes. As these things form the subjects of the greater part of his writings (though he does not fail to censure the vices of the lower orders also), he must be regarded as a democratic poet; and we know, from the history of his times, that he was one of the most terribly effective demagogues, that ever wrote; though he appears never to have counselled violence, and to have been personally loyal at heart, religious, averse from innovations in doctrine, and peace-loving. The character and the effect of Langland's poems with reference to the historical events of his time, have been already referred to, when we were considering the popular discontents and the insurrections at the beginning of the reign of Richard II.*

His sympathy with the industrious poor.

* See chapter iii. *supra*, pp. 250, 284.

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Notice of his life.

William Langland (there is more certainty as to the Christian than as to the surname) was born in the neighbourhood of Great Malvern about 1332. He wrote his poem, in its first form, while he was still dwelling in that part of England. In his middle age he went to London with his wife and daughter, and he appears to have resided there many years. The time of his death is not exactly known, but it was not earlier than 1388. While in London he materially enlarged and added to his poem. The whole of it (as we now possess it) seems to have been published, and to have become extensively popular before 1381, the year of Wat Tyler's insurrection.* He appears to have taken the lower clerical orders, and to have habitually worn the clerical garb. He had an intimate, indeed a technical acquaintance with law terms. It is evident, from his allusions to his own state, that he passed his life in need and penury.†

Nature of his poems.

His poem consists of a series of Visions, which are supposed to have been dreamed by the poet himself. These Visions are closely connected with each other; but the poem has taken the name, by which it has been

* See p. 284, and note, *supra*, on the allusions by John Ball, the insurgent priest, to the personages of Langland's poetry.

† See in Mr. Skeat's introduction to his edition of the first seven *Passus* of the poem a biographical sketch of the writer, from materials furnished by his own work. "In personal appearance he was so tall that he obtained the name of 'Longe Wille,' as he tells us in the line

'I have lyued in londe,' quod I, 'my name is Longe Wille.'

In Passus 15 he says that he was loath to reverence lords or ladies, or persons dressed in fur, or wearing silver ornaments. He never would say 'God save you' to serjeants whom he met: for all which proud behaviour, then very uncommon, people looked upon him as a fool. It requires no great stretch of imagination to picture to ourselves the tall, gaunt figure of Long Wille, in his long robes, and with his shaven head, striding along Cornhill, saluting no man by the way, minutely observant of the gay dresses to which he paid no outward reverence."—P. xvi.

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commonly cited in modern times, that of "The Vision of Piers Plowman," from the ideal working-man, shrewd, sensible, industrious, honest, and God-fearing, who is the hero of the second Vision. Piers the Plowman knows the way to Truth, when high and priestly personages cannot find her. He gives advice to lords and ladies, and folk of every degree. He makes all, who come to him, work hard. Hunger (who is personified as executing Piers's orders) seizes and buffets the "Wastour," who refuses to work. In terror of Hunger, men, who had previously lived as lying, idle vagabonds, "flap on with flails" in Piers's barns from morn to even. "An heap of Heremites" get their spades. They cut away their Hermit's copes, and go as workmen with spades and with shovels, and delve and dyke to escape Hunger.

His ploughman-hero.

Having given them this practical lesson as to the duty of labouring for their bread in this life, Piers teaches them how to obtain pardon for their sins, and mercy in the life to come. He shows the worthlessness of the Pope's bulls of pardon, though a man "have a pokeful" of them, and of Provincial letters from all the four orders of Friars. These will be nought to him

> "At the dredeful doom, when the dead shall rise
> And comen alle before Christ, accounts to yield
> How thou leddest thy life here, and his lawes keptest,
> And how thou didst day bi day, the doom will reherce."*

Piers counsels all Christians to seek mercy from God, and to cry to "Marie his moder" to be our "mene between," so

> "That God give us grace here, ere we are gone hence,
> Such works to work, while we ben here,
> That after our deth-day"

* Passus vii. 187. I have slightly modernised some of the spelling.

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it will be pronounced of us at the day of doom, that we did, as He commanded.

> "Do well and have well, and God shall have thi soul.
> Do evil and have evil. Hope thou none other."

There is a much greater amount of allegory in the other Visions, than in the one, of which I have thus sketched a portion, and which seems to have acquired for the poem its great and very practical popularity among Langland's contemporaries. The poetic power of Langland is considered by high authorities to be especially displayed in the Vision of Do Well, especially in the part that forms the eighteenth *Passus* of the entire poem. Langland there narrates the descent of the Saviour into Hell, between his Passion and His Resurrection, and describes His deliverance of the imprisoned spirits of Patriarchs and Prophets.*

His alliterative verse

Langland did not, like Chaucer and others of the poets of the century, adopt the embellishment of rhyme; but he followed the alliterative versification of the Anglo-Saxons. Indeed stricter rules of alliteration were established in the fourteenth century, than are to be found in the poems of the elder form of the language. A complete alliterative line in Langland's poems, and in those of the other alliterative poets, who wrote about his time, consists generally of two sections, with a marked pause between them; and some modern editors print the two sections as

* See Milman's Latin Christianity, vol. vi. p. 543, and Mr. Skeat's preface, p. xxxi.

I must own that I found the Dialogues of the Devils in this "Passus" very tedious; but there is a beautiful passage where the Fiends discern the Lord approaching:—

> "And now I see where a Soule cometh hitherward saillynge
> With glorie, and with great light. God it is, I wot well."

The lines, also, quoted by Dean Milman, which describe the breaking of hell's gates, are very noble.

separate short lines. But, if they are taken so, we find that each second line is regulated, as to alliteration, by the one which precedes it; and it seems better to treat them as long lines of two sections each; which also appears to have been the mode in which the authors, or most of the earliest known copyists, wrote them.* The effect of alliterative poetry on the ear depends on what has been well called "the accentuation and the swing of each line," as well as upon the recurrence of the dominant initial letter. The sound of that letter must meet the ear at the commencement of two strong syllables in the first section, and of one strong syllable coming early in the second section of the line. There are other more minute rules; but the foregoing account of the alliterative system may suffice to give an idea of its main principles.

Need of very good rhythm in alliterative poetry.

Alliterative poetry is very pleasing and powerful (speaking of it acoustically) when the poet is a perfect master of rhythm, but not otherwise. It is much easier to rhyme moderately well, than to be perfect in rhythm; and, as every hearer notices rhyme, while very many are insensible to the beauties of rhythm, it is not to be wondered at that rhyming poetry gradually displaced alliterative poetry in our language. They were co-existent for a considerable period; and even when regular alliterative poems were no longer written, occasional alliteration was and is largely used, as giving additional grace and power to either a rhyming or a blank verse line.

Many lines of well harmonised verse may be found in Langland; but I do not think that, on the whole, his poem exhibits favourably the capabilities

* See Mr. Skeat's preface, p. xxxii., and see his preface to the alliterative poem, "Morte Arthure," published by him for the "Early English Text" Society. In some manuscripts there is no division into lines.

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of alliterative metre. He often puts together rugged heaps of syllables; and the rhythm is rarely prolonged through consecutive lines. This harshness of Langland's style as to sound, and the fact of his having written in a dialect, which is to most modern readers more difficult to understand, than the diction of Chaucer or of other writers of the century, will probably always prevent his obtaining from posterity the full meed of admiration, to which his genius entitles him.

The songs of Lawrence Minot on the wars of Edward III. have already been referred to in notes to the chapter, which contained the account of the battle of Nevill's Cross.* One of his stanzas has been there quoted. Minot has been called the Tyrtæus of his age. Such praise is exaggerated; but he wrote with great animation, and some of his stanzas are polished and graceful. He always uses rhyme. He rhymes with facility and variety. His cadences are well marked; and he frequently writes in one of the most effective, though one of the most difficult, of our song metres.†

Minot's metres.

Gower.

John Gower was born a little before Chaucer, and survived him by eight years. He wrote poems in French and in Latin, as well as in English; and, so far as we have the means of judging,‡ with equal prolixity and dulness in all three languages. I should hardly have mentioned him here, had it not been for the esteem in which he appears to have been

His voluminousness and tediousness.

* P. 136, note, *supra*.

† See Minot's stanzas quoted in the note to page 136, and compare them with

"The Black Bands came over
The Alps and their snow," &c.,

and other lyrics in Byron.

‡ His great (*i.e.*, long) French poem, the *Speculum Militantis*, is lost.

held by his contemporaries, and by writers down to the Elizabethan age. He seems to have been a moral, learned, and worthy man; but I have not found a spark of true poetry in those pages of his compositions, that I have been able to read through. In his English poem, the "Confessio Amantis," Gower introduces himself as a despairing lover. Venus sends her priest, called Genius, to receive the lover's confession, and to enlighten and comfort him. These processes fill up eight long books of octo-syllabic rhyme. The bulk of them consists of casuistry and morality, but the doctrines are illustrated by numerous episodial narratives. The best known of these are the story of the Caskets, as afterwards told in the Merchant of Venice; and the story of Apollonius, Prince of Tyre, which is the groundwork of the Shakespearian, or pseudo-Shakespearian, play of Pericles. The dramatist who wrote that play, introduces Gower as delivering a prologue to each Act.

Scheme of his English poems.

Occleve is assigned by the best judges to the reign of Richard II., though some place him later. He wrote an English poem with a Latin title, called "De Regimine Principum." As to deficiency in fire and spirit, he is on a level with Gower; but he is rather more interesting; and his poem contains several pictures of the old familiar London life of an impoverished poet. From the autobiographical passages in his writings, Occleve appears to have been a government clerk.

Occleve, a dull poet.

Sketches of old London life in his writings.

The Political Songs and Poems of the fourteenth and fifteenth century, still extant, are numerous; and the lately published collection of them is very valuable as a store of historical evidence. As such, it has frequently been referred to in this volume. But, with

The political songs of little literary merit.

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Macaronic poetry.

the exception of Lawrence Minot's war-songs, which I have noted separately, there is nothing in the collection, which deserves the name of poetry. Some of these compositions are written in a mixture of two languages, in what is called Macaronic verse. One on the insurrection of the villeins in 1381 is a curious example of this kind of writing. The first and third lines of each stanza are in English (with Latin words occasionally interlarded), and rhyme together in masculine rhyme. The second and fourth lines are in Latin, and rhyme together in feminine rhyme.* Each Latin line is in general a comment on the English line that precedes it.

Hymns and Carols.

A much more pleasing specimen of the effect producible by mixing the two languages may be found in a hymn to the Virgin, which is preserved in a manuscript collection of Early English Songs and Carols. The date of the manuscript itself is supposed to be of the fifteenth century: the poems which are copied in it may probably have been composed a little earlier.†

* This will be best illustrated by citing the first stanza:—

"Tax has tenet us alle—
Probat hoc mors tot validorum—
The king hereof had smalle—
Fuit in manibus cupidorum."

† See "Songs and Carols from a Manuscript in the British Museum of the Fifteenth Century, edited for the Warton Club by Thomas Wright." The beginning of the hymn, to which I have referred in the text, is as follows:—

Ave maris stella,
The sterre on the sea.
Dei mater alma,
Blyssid mot ye be.
Atque semper virgo,
Praye the Sone for me.
Felix celi porta,
That I may come to thee.

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English prose. Wyclif.

On turning from the early writers of English poetry to the early writers of English prose, incomparably the greatest name, even in a merely literary point of view, that we meet, is the name of John Wyclif. I have already been unavoidably led to speak of Wyclif as an English author, when dealing with his political and ecclesiastical career.* All, that Wyclif wrote in English, was written by him for actual use and practical effect, and not by way of literary exercise or display. Doubtless this greatly conduced to give his English writings the highest of all literary merits, which they so eminently possess, the merit of striking power and contagious earnestness.† I have already stated, to the best of my ability, my admiration of Wyclif as a writer of English, and my reasons for that admiration. I will here only once more refer to the eulogies of Milman and Shirley on "the father of English prose."‡

Mandeville. Date of his travels.

Sir John Mandeville's Travels purport to have been written by him about the middle of the reign of Edward III., and to have been published by the author with a dedication to that King, in 1356. The prologue to the book states: "I John Maundevylle, Knyght, alle be it I be not worthi, that was born in Englond, in the Town of Seynt Albones, passed the See, in the Zeer of our Lord Jesu Crist MCCCXXII, in the Day of Seynt Michelle; and hidre to have ben longe tyme over the See, and have seyn and gon thorghe manye dyverse Londes, and many Provynces and Kingdomes and Iles, and have passed thorghe

* See chapter v., *supra*.

† The untranslateable Greek word, Δεινότης, completely expresses the literary merit which I mean.

‡ See the quotations from them in the note to page 332 of this volume. I have there mentioned the English writings of Wyclif that are most accessible to the general reader.

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Their extent.

Tartarye, Percye, Ermonye* the litylle and the grete; thorghe Lybye, Caldee and a gret partie of Ethiope; thorghe Amazoyne, Inde the lasse and the more, a gret partie; and thorghe out many othere Iles, that ben abouten Inde; where dwellen many dyverse Folkes, and of dyverse Maneres and Lawes, and of dyverse Schappes of Men." He passed three years in China, or Cathay; and he attended the Khan of Cathay in his wars. He also took service for a time under the Sultan of Egypt. He thus on his return had much to say, even if he had confined himself to subjects and events, that had come under his own personal observation. But he noted carefully, and copied freely, every legend and marvel, that he had ever heard or read about any of the places or nations that he visited; and thus his book became, in the greater part of it, a huge collection of fictions, always marvellous, and frequently monstrous. This probably conduced to the great popularity, which the book acquired in the age of its first appearance, and which it retained throughout the next century; but it also brought upon its author the unsparing ridicule and condemnation of wits and critics in after ages; so that the name of Mandeville became typical of a gossiping traveller, grossly credulous himself, and practising still more grossly on the credulity of his hearers.

Multifariousness of his narrative.

Popularity of his book in early times.

Subsequent ridicule of it.

There are, however, parts of the book, that are valuable as showing the knowledge and the opinions of men in that age on geographical and astronomical subjects. The seventeenth chapter is very remarkable for arguments, "how the Erthe and the See ben of round forme and schapp, be pref of the Sterre, that

* Armenia.

is clept Antartyk, that is fix in the Southe." Mandeville speaks of his own observations and measurements of the various altitudes of the Northern Star, "that we clepen the Lode Sterre," as seen in various countries of Europe. He says that he has travelled southward until he came to lands where men see the northern Lode Sterre no more, but see and steer by another immovable star, "the Sterre of the Southe, the which Sterre appereth not to us." He mentions the increasing altitude of this "Sterre Antartyk," which he observed, as he travelled more and more southward. He adds many speculations, some sagacious and all curious, about the Antipodes, and the size of the earth. He expresses his firm belief of the practicability of travelling all round the earth if a man has "Companye and Schippynge;" and he mentions a tale which he had heard when young, of how that "environing the world" had been nearly accomplished, by a "worthi man who departed somtyme from oure Contrees, for to go serche the World. And so he passed Ynde, and the Yles bezonde Ynde, where ben mo than 5000 Yles."*

Mode in which it was composed.

The way in which this book was written is curious, and illustrates the co-existence in that age of three languages in England: of Latin as the language of the learned, of French as the language of the Court, and of English as the mother-tongue of the nation in general. Mandeville tells us himself that he wrote his book first in Latin, then in French, and that he afterwards wrote it out in English, that every man of his nation might understand it.† The translation

* Page 183, Halliwell's edition.

† His words are "And ȝee schulle undirstonde that I have put this boke out of Latyn into Frensche, and translated it aȝen out of Frensche into Englyssche, that every man of my nacioun may undirstonde it." In the French version (several copies of which are extant) Mandeville says, "Et

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of a translation might be expected to be cramped and artificial in style; but this is not at all the case with Mandeville's English. His style is clear, simple, and natural. It is to a modern reader the easiest of all the English writings of the fourteenth century; and it is certainly the most entertaining.*

The 15th century inferior to the 14th as to literature.

The English literature of the fifteenth century is very inferior to that of the fourteenth in poetry. John Lydgate, a monk of Bury, who wrote in the

sachetz que jeo usse mis ceste liverette en Latyn par plus briefment deviser, mes pur ceo que plusours entendent mieultz Romanz que Latin, jeo l'ai mys en Romanz pur ceo que l'entende."

* I subjoin as a short specimen of his style the legend, which Mandeville narrates with implicit faith as to the "Flourishing Field" of Bethlehem, and the origin of roses in the world. "Betwene the Cytee and the chirche is the Felde Floridus; that is to seyne, the Feld florisched; For als moche as a fayre Mayden was blamed with wrong, and sclaundred, that sche hadde don Fornycacioun; for whiche cause sche was demed to the Dethe, and to be brent in that place, to the which sche was ladd. And as the Fyre began to brenne aboute hire, sche made hire Preyeres to oure Lord, that als wissely as sche was not gylty of that Synne, that he wold helpe hire, and make it to be knowen to alle men, of his mercyfulle grace. And whan sche hadde thus seyd, sche entred in to the Fuyer; and anon was the Fuyr quenched and oute: and the Brondes that weren brennynge becomen rede Roseres; and the Brondes that weren not Kyndled, becomen white Roseres, fulle of Roses. And theise weren the first Roseres and Roses, bothe white and rede, that evere ony Man saughe. And thus was this Mayden saved bi the Grace of God. And therfore is that Feld clept the Feld of God florysscht: for it was fulle of Roses."—Page 69, Halliwell's edition.

I am not aware whether any of the editors of Mandeville has examined with particular care the state of the manuscripts as to the passage near the end of the last chapter (p. 314 in Halliwell's edition) about the author having come *to Rome* on his home-coming, and having there been absolved by the Pope, and obtained the sanction of the Pope's council to the truth of his book.

Mandeville (according to his book, left England in 1322) was "long tyme over the See," and wrote his book in 1356. Now it is quite certain that there was no Pope in Rome from 1305, when Clement V. began the period of Papal residence at Avignon, till 1367, when Urban V. returned for a brief period to Rome. The Papal residence in Rome was not permanently resumed until 1376. Nor can this difficulty about Mandeville's proceedings before the Pope at Rome be solved by supposing that he appeared before the Anti-Pope Nicholas V., whom the Emperor Louis of Bavaria set up for a short period in Rome. That Anti-Pope had fled from Rome, and had made his submission to the Pope at Avignon before 1330.

I should not, however, even if I were convinced that Mandeville's Travels

reign of Henry VI., is the principal poet of the Lancastrian times. Lydgate travelled in France and Italy, and was well acquainted with the literature of these countries, as well as with many of the Latin classics. He wrote a great number of poems on a great variety of subjects, but his chief productions were translated from Boccaccio and Statius. The larger part of his works is still in manuscript; and the flat, tame character of such parts, as are known, offers little inducement to explore and publish any more. Lydgate has been praised by Gray ; and praise from Gray is important. But Gray only praises him comparatively, as being better than Gower and Occleve, and as coming nearer than they to Chaucer. Lydgate's proximity to Chaucer is a proximity with a painfully long interval.

Lydgate's poetry.

We may, however, feel sure that there were true poets in England during this century, though we cannot say in what years they wrote, if they ever wrote at all. I mean the authors of our earliest old English ballads, several of which, from their subjects and their style, appear to have been in existence during the reigns of the later Plantagenets. Nearly all of them relate to the Border Wars between England and Scotland, or to legends of Robin Hood and other "merry men," who set the old forest-laws at defiance. Probably one of the very best of the old ballads, that we possess, is also one of the earliest. I mean the most ancient of the two versions of the

Our old English ballads.

are not authentic, withdraw them from the literature of the fourteenth century, or alter the opinion expressed on them in the text. I believe that a great number of the very numerous manuscripts of the book are as old as the beginning of the fifteenth century (see Mr. Halliwell's Introduction), and the writer, whoever he was, that used Mandeville's name, must have written before the end of the fourteenth. The question, whether the book is genuine or not, does not affect its value as a specimen of language and literary skill.

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The ballad of Chevy Chace.

Variations of the old ballads.

Their liability to change and loss.

Modern reverence shown to them.

ballad of Chevy Chace.* Passing from one reciter to another by word of mouth and memory, these unwritten lays were continually modified and varied both as to substance and to style. Even after they were copied, and after some of them were printed on broad-sheets by our early printers, they were liable to change and to destruction. We owe the preservation of many, including the finest that we possess, to Bishop Percy, who collected and published them about a hundred years ago. Since then their influence on our modern literature has been very marked; they have received at least their due share of affectionate honour; and there is no longer any risk of their passing into oblivion.

Prose of the 15th century.

There is good English prose of the fifteenth century. The great book of the age is a theological treatise, composed for the purpose of "repressing" the Wyclifites; but which drew upon its writer the heavy hostility of the chiefs of the English Church. This is the "Repressor of overmuch blaming of the Clergy," written by Reginald Pecock, who was made Bishop of St. Asaph in 1444, and Bishop of Chichester in 1449.

Pecock's Repressor.

Its object.

Pecock undertakes in this work to repel the objections which the Lollards, or "Bible-men" (the name which he often gives them) were in the habit of making against the clergy as to—1st, the use of images; 2nd, pilgrimages; 3rd, the endowments of the Church; 4th, the hierarchy of ranks and orders in the Church; 5th, the authority of Papal and Episcopal legislation;

* Both versions were published by Percy. I mean the one which begins with

"The Persé out of Northumberland a vow to God made he."

We can hardly doubt that this was the ballad which "stirred Sir Philip Sidney's blood like a trumpet," and not the much tamer version, with which Addison was acquainted, and which he criticised with fitting appreciation of the many merits which had not been improved from out of it.

6th, the orders of Friars; 7th, the invocation of Saints and priestly intercession; 8th, the costliness of ecclesiastical decorations; 9th, the office of the Mass; 10th, the taking of oaths; 11th, the lawfulness of war and of capital punishment.

He is a vigorous foe of the Lollards, but he is Ultramontane as to the power of the Pope, and he is also a Rationalist.

Pecock, in the first part of his treatise, gives a general defence of all the matters objected to; and he proceeds in the second, third, and fourth parts to discuss and justify them one by one; but he seems to have been prevented from completing the fourth part of his book; and he gives a hurried compendium of reply to the last five classes of objections, very different from the deliberate copiousness, which he shows in dealing with the six first branches of his subject.

His opposition to the Lollards is thoroughly earnest, and very able. But, unfortunately for himself, Pecock, in defending the Church against those sectaries, exalted the power of the Pope over that of bishops, and over that of General Councils, to an extent, that alarmed and exasperated the English Catholic prelates and other leading English Churchmen of the age. He gave also equal offence to both High-Churchmen and to "Biblemen," by maintaining that every doctrine must, before we adopt it, be proved to be true by reason, and not by mere authority; not even by the mere authority of the letter of Scripture. Indeed the "Repressor" is in many parts a strange combination of (to use modern terms) Ultramontanism and Rationalism. Both these classes of doctrine were odious to Archbishop Bouchier and the greater number of the higher English clergy. Pecock's book was searched for heresies; and a sufficient list of them was found in it to bring on his trial and condemnation. He saved his life by a full and most humble retractation; but he was obliged to resign his

Pecock is charged with heresy and convicted.

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bishopric, and he passed the rest of his life in custody in Thorney Abbey.

He recants, but is imprisoned and obliged to resign his see.

He had political enemies.

It is probable that political party feeling was mixed up with the ecclesiastical prosecution of Pecock. He had entered public life under the patronage of Humphrey, Duke of Gloucester, the Protector, but had abandoned him a little before the Duke's downfall. Pecock had then attached himself to the party of Gloucester's bitterest enemy, the Earl of Suffolk. Many, after this, must have hated him as a renegade, and have been eager to join in his overthrow.

Literary merit of the "Repressor."

Fairness of argumentation.

Vigour and grace of the style.

The "Repressor" is written throughout in a clear, argumentative, temperate, and dignified manner. Pecock states his adversary's positions and reasons very fully and very fairly. Whatever opinion each reader of the "Repressor" may form as to its theological merits or demerits, he will find many passages, that command admiration of the vigour of the reasoning, and of the grace of the language. I would refer particularly to the eighteenth chapter, where Pecock insists on the value of free discussion, and on the additional lustre, with which a truth shines forth, after it has undergone the test of searching debate and full inquiry.*

* A good specimen of Pecock's argumentative power and of his style may be found at p. 43, *et seq.* (Babington's edition), where Pecock deals with the objections made by the Lollards to the institution of prelacy, on account of the simony often connected with the appointments, and the evil characters of many who are appointed to be bishops. Pecock admits the existence of the abuses; but he maintains that they are imputable not to the institution itself, but to the misconduct of Princes and other temporal patrons, who make improper ecclesiastical appointments. His argument is, that evil may come out of, or from, or by, an institution in two ways:—

1st. Where the institution is the cause of the evil, and works and reaches naturally ["by his kinde"] into the evil.

2nd. Where the institution is not the cause, but only the occasion, of the evil, some other thing being the worker and causer of the evil.

If an institution is objected to only as the occasion of evil, we must, before we condemn it, consider whether it is not also either the cause or the

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Fortescue's English treatise on absolute and limited monarchy.

We have already had occasion to refer to Chief Justice Fortescue's "Treatise on Absolute and Limited Monarchy," which he wrote for Edward IV., after that Sovereign had taken Fortescue into favour. The great value of the book consists in the emphatic testimony which it bears to the free principles of our Constitution as then fully recognised; but it has also considerable literary merit. It is forcibly and clearly written, without prolixity or repetition. The English is very easy. Indeed, as we read it in the printed editions, it seems so much more like common English than any other book of the century is, that it makes us suspect that the book has been to some extent modernised by its printers and publishers. A careful inspection and collation of the extant manuscripts of this treatise would be useful.*

occasion of some good; and, if so, whether the good or the evil coming from it preponderates.

But if the institution can be shown to be the working cause of any evil, it should be abolished, whatever amount of good in other respects it may either cause or occasion.

His position is that prelacy is not the cause, but only the occasion of simony, and bad appointments; and that the good, which prelacy in other respects causes or occasions, preponderates over the admitted evil occasioned by it.

* The following is a good specimen of Fortescue's matter and manner:—

"Some Men have said, that it war good for the Kyng, that the Comons of Englond wer made poer, as be the Comons of Fraunce. For than, thay would not rebell as now thay done often tymes; which the Comons of Fraunce do not, nor may do; for they have no Wepon, nor Armor, nor Good to bye it withall. To thees maner of Men, may be said with the Philosopher, *Ad parva respicientes, de facili enunciant;* that is to say, thay that seen fewe thyngs, woll sone say their Advyse. Forsothe thoos folkys consyderyn litil the Good of the Realme of Englond, wherof the Might most stondyth upon Archers, which be no rich Men. And if thay were made porer than they be, they schuld not have wherewith to bye them Bowys, Arrowes, Jakkes, or any other Armor of Defence, whereby thay might be able to resyste our Ennymyes, whan thay liste to come upon us, which thay may do on every syde, consydering that we be an Ileland; and as it ys said before, we may not have sone Socors off any other Realme. Wherfor we schuld be a Pray to al other Ennymyes, but if we be mighty of our self, which Might stondith most upon our poer Archers; and therfor thay nedyn, not only to have such Abilyments as now is spoken of, but also

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Malory's Morte d'Arthur.

Sir Thomas Malory's Romance of King Arthur was one of the most popular books that appeared in the fifteenth century; and its popularity has been revived by Scott, Southey, and Tennyson, in the nineteenth. A fondness for hearing tales of marvellous peril and variety, with scenes of love and daring, in which supernatural beings take part with or against adventurous mortals, has existed in every race and in every time. This feeling was intensified in the middle ages by the spirit and usages of Chivalry, and by the abundant faith in saintly legends and miracles, which the clergy professed and encouraged. The literature current among the upper classes in this country from the beginning of Henry II.'s reign consisted principally of long, rambling rhyming, tales in Norman French about Charlemagne and his Paladins, or King Arthur and his Knights. Breton and Welsh legends gave the materials whence the Romances of the last-mentioned class were moulded. Warriors and scenes from classical history served also to build up Romances; but they were transmuted in the process. Such was the case with Alexander of Macedon, the hero of the Alexandreis, a Romance poem written about 1184, and which from its metre gave the name to our Alexandrian Verse. Richard Cœur-de-Lion, who dearly loved Romances while he lived, became after his death the theme of a whole cycle of them, in

Fondness of the English for romances.

Number and usual subjects of Norman-French romances.

thay nedyn to be mich exercysyd in schotyng, which may not be done without right grete Expensys; as every Man experte theryn knowyth right well. Wherfor the makyng poer of the Comons, which is the makyng poer of our Archers, schuld be the Distruction of the grettest Might of our Realme. * * * The grettest Sewertie truly, and also the most Honour that may come to the Kyng is, that his Realme be riche in every Astate; for nothyng may make his People to arise, but lacke of Goods, or lacke of Justyce. But yet certeynly whan thay lack Goods thay will arise, sayyng thay lack Justyce. Nevertheless if thay be not poer, thay will never aryse, but if their Prince so leve Justice, that he gyve himself al to Tyrannye."

which his adventures (in themselves sufficiently marvellous) received an infinity of wild and fanciful additions and embellishments. As has been mentioned early in the present chapter, translations of the Norman French Romances into English form some of the very earliest specimens of our vernacular literature. They were the delight of all classes. Numerous additional compositions of the kind appeared from time to time; some being translated or imitated from tales written in France, or Italy, or Spain, others being originally composed in English. Legends connected with the adventures of King Arthur and his Knights appear to have been most favoured in England. One anonymous poem on Arthur's death, which seems to have been written about 1400, has already been mentioned as a favourable specimen of the rhythm and "swing" of alliterative verse. It also deserves notice for the power and grace shown in some passages, and especially for its descriptions of scenery.*

English translations of them.

Additions to the romance cycles.

Sir Thomas Malory, in King Edward IV.'s reign, wove together the multifarious legends of the Arthurian Cycle, and published the work so composed under the title of "La Mort d'Arthure." It is sometimes called "A Digest of the Arthurian Tales;" but that term implies legal dulness; and hardly any book in our language deserves the epithet of dull so little as the work of Sir Thomas Malory.

Sir Thomas Malory weaves the Arthurian romances together.

It was naturally one of the books, which our first printer, Caxton, printed and published. Besides the reverence due to Caxton as one of the chief promoters of the liberation and enlightenment of the human intellect, which the Art of printing effected,† he

Printed books give a considerable amount of stability and uniformity to the English language.

* "Morte Arthure," edited by Mr. Skeat for the "Early English Text Society."

† There is a noble poem on this subject by Ebenezer Elliott, entitled

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deserves notice in another respect, as having done much to give stability and uniformity to the language of our country. The multiplication of printed books, and the consequent still greater multiplication of readers created, what may be termed a literary public throughout England; and when the printed copies of a book from Caxton's press were spread throughout this public, each member of it used a copy that was uniform with the copies used by all the rest. But before printing was known, and while copies of a book could be made in manuscript only, the transcribers were apt to introduce changes of spelling, of syntax, and of phrase, according to the dialect of the part of the country to which each copyist belonged. And the dialects of different parts of England differed then from each other in a far greater degree, than any amount of variation which can at present be detected by the most zealous philologist. Moreover, each author wrote in his own dialect, or, to speak more correctly, in the pure native English of his own part of England.* Hence the diction of an author of those times in many cases appears to us more archaic than the diction of his contemporaries, or even of some of his predecessors. But in propor-

Changeableness of the language before then, and great variety of provincial dictions.

"The Hymn of the Printers of Sheffield." I quote from memory the first verse:—

"Lord, taught by Thee, when Caxton bade
His silent words for ever speak,
A grave for tyrants then was made,
Then cracked the chain that yet must break," &c.

* There is a remarkable passage in a preface of Caxton's to one of his last publications, in which he speaks of the great change in English, which had taken place in his own lifetime, and of the difficulty which he had in deciding whether he should employ the "curious terms" used by "good clerks" and "men of reputation," or whether he should use "the old and homely terms" of the common people. He gives also proof of how much the common English, that was spoken in one shire, varied from that spoken in another. The passage is cited, with some sensible and instructive comments, by Mr. Charles Knight in his Biography of Caxton, p. 12.

tion as men of letters became familiar in their reading with the nearly* uniform English language of printed books, they followed or approached that uniform English in their own writings. The language continued to receive changes by the introduction of new words and phrases, and by the zeal for imitating Latin models, which grew to excess in many of our prose writers not long after the close of the fifteenth century. Many more modifications of etymology, and some of syntax, took place before the modern English language can be said to have been substantially established throughout the country; but that amount of uniform establishment never could have been effected at all, without the invention and the extended use of the art of printing.

We have already in this volume been led to consider incidentally many subjects connected with the state of learning in England during the fourteenth and fifteenth centuries. In sketching the career of Wyclif, mention was made of the high position held by Oxford as the chief theological and philosophical University in Europe during the fourteenth century; and of the four great Schoolmen of that age, Duns Scotus, Ockham, Bradwardine, and Wyclif, all of whom were learners and teachers at Oxford. I do not know that any other University surpassed Oxford in the next century; but the scholastic philosophy was then in a state of decline throughout Europe. It was

State of learning in England.

Scholastic learning.

Its general decline in the 15th century.

* Different printers differed from one another; and the same printer did not always keep to the same rules of language in all his publications. It is to be remembered that the early printers were all publishers, and that nearly all of them were also editors, in the modern sense of the word. Indeed they took far more license, than may be ventured by modern editors, with the orthography and phraseology of the authors whom they printed. Mr. Babington, in the preface to his recent edition of the old chronicler Trevisa in the Rolls Collection, gives a long list of the deviations from the M.S. which Caxton introduced, when he printed and published Trevisa.

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not yet superseded; but it was losing vitality. There is no great name in the annals of Scholasticism after that of Wyclif, unless Gerson makes an exception; and Gerson was rather a theological mystic than a Scholastic reasoner.*

Collegiate system in the Universities.

An important change was made in our Universities, during the period embraced in this volume, by the great development of the collegiate system. This had been commenced both at Oxford and Cambridge as early as the thirteenth century, but the fourteenth and the fifteenth were the ages in which its progress was most remarkable. Out of the twenty colleges now in existence at Oxford, eight had been founded before the House of Tudor began to reign. Out of the sixteen now existing at Cambridge, more than half had been established before the same epoch. The founders of these old collegiate institutions are sometimes sneered at, as having acted partly out of superstitious selfishness in providing places where their souls should be always prayed for, and partly out of bigoted blindness in striving to keep up monkery. But the colleges were anti-monastic institutions. They were specially designed to educate men, who were to live in the world; and they were founded for the education of laymen, as well as of men who were to take holy orders. The desire of their founders was (to use the words still heard in public prayer in those colleges), "that there never might be wanting a supply of men duly qualified to serve God both in Church and State."

The Colleges anti-monastic.

Designed for the education of layman as well as of clergymen.

* M. Haureau, in his "History of Scholasticism," calls Gerson "le porte-drapeau de ces nouveaux mystiques," who denounced the scholastic philosophy. He says of him that, "Gerson n'est déjà plus un docteur scolastique: il appartient plutôt à la catégorie des penseurs plus ou moins libres qui ont décrié les études scolastiques, et préparé par cette critique l'avénement d'un autre philosophie."—Haureau, vol. ii. pp. 489, 496.

Public Schools, Winchester and Eton.

We have already * noticed the inception of our public school system of education when William of Wykeham founded Winchester College and School, in connexion with his "New College" at Oxford. This system received its grandest extension, when King Henry VI. founded Eton College and School in connexion with King's College at Cambridge, which was founded and endowed by him at the same period. In the first of the several charters granted by him to Eton, Henry, then nineteen years old, declared that "it had become fixed in his heart to found a college in the parish church of Eton, near Wyndesore, not far from the place of his nativity." Instruction was to be given in that College to a certain number of indigent scholars, and to "all others whatsoever who may come together from any part of the Kingdom of England to the said College." Henry's great adviser in his project was William Waynflete, Head Master of Winchester, and afterwards for a time first Head Master, and then Provost of Eton.† Henry wisely made William of Wykeham his example. He resolved, like him, that the school, which he founded, should be connected with a college at one of the Universities, whither the best of the foundation-scholars of his school should proceed to complete their education, and where permanent provision should be amply made for them. The charter already quoted, and other documents connected with it, clearly show that Henry not only designed Eton to be a college, where gratuitous instruction and maintenance for poor scholars should

Henry's declared object in founding Eton.

* See p. 190, *supra*.

† He was raised to the see of Winchester in 1447, and Lord Chancellor in 1456. The part taken by him in political events, and the favour shown to him by Edward IV. after the overthrow of the Lancastrian cause, have already been mentioned. Waynflete lived to see the accession of Henry VII. and the marriage between that Prince and Elizabeth of York. He died in 1486.

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be provided, and whence King's College at Cambridge should be recruited, but that he contemplated Eton becoming a central place of education, whither the youth from every part of England should resort. We have proof that this hope was partly realised in the founder's own lifetime.* We know how Eton has flourished for fully four centuries since. Those, who, like the writer of these pages, owe their education, and many more benefits, to the piety and bounty of King Henry VI., will join in the prayer that his college and school may continue so to flourish for many centuries yet to come.

Greek scholarship not yet at its dawn in England.

The period at which the history of general public events in this volume terminates—the year of the Battle of Bosworth, 1485—falls short by a few years of the time when Greek scholarship appeared in Oxford.† The names of several Englishmen, some of them men of rank, have been preserved, who are said to have travelled, a little before this time, to Italy, for the sake of learning Greek, and of improving their Latin in the country, where the classics were now studied with so much ardour and success.‡ But the unveiling of Hellenic literature in England was reserved for the sixteenth century.

* In Blackman's "Collectanium mansuetudinum et bonorum morum Regis Henrici Sexti," there is an anecdote of Henry's conversation with the Eton boys, which shows how early the school was frequented by lads connected with the royal attendants. In the well-known collection of the Paston letters, there is a letter dated 1467, written by William Paston from Eton to his elder brother at the family seat at Norfolk. William was evidently an Oppidan. He speaks of his "Hostess" (*hodie* "Dame") and of the payment to her for his board. He speaks also of his studies, and sends a specimen of his Latin verses. This letter is cited and commented on by Mr. Hallam.—Literature of Europe, vol. i. p. 168.

† Cornelio Vitelli, an Italian, is believed to have taught Greek in Oxford in 1488. See Mr. Hallam's Literature of Europe, vol. i. p. 236, and note.

‡ 1 Hallam, Hist. Lit., vol. i. pp. 167, 235.

Latin classics better known.

Paper made from linen.

Manuscripts more numerous.

General education of the nobility and gentry.

Number of students at the Inns of Court.

The knowledge of the Latin classics was much extended before the end of the reign of Henry VI. More men of various ranks read Latin; and they read a greater number of ancient authors. The art of making paper from linen rags (whenever it may have been invented) was now actively practised. This reduced the price, and greatly augmented the number of manuscripts. An increase of zeal for reading was thus effected. It was a literary movement, similar in nature, though not comparable in degree, to that, which the invention of printing soon afterwards created. We have already noticed incidentally many proofs that the nobility and gentry now generally received some education; and many laymen now acquired as much learning, as was possessed by even the ablest ecclesiastics, except, probably, in scholastic theology. Many other proofs might be added. One very strong one has been referred to by Mr. Hallam. It is the great number of students of the Common Law, who now entered, and actually studied, at the Inns of Court. The study of the Common Law in that age required a knowledge of Latin, and a knowledge of Norman French; and a student would have obtained little credit in the Moots, or legal disputations, which he was required to take part in, unless he had also been well grounded in the art of logic. According to the numbers given by Fortescue, in his "Treatise on the Laws of England," there were in his time ten lesser inns, called "Inns of Chancery, in each of which there were a hundred students, at the least; and in some of them a far greater number, though not constantly residing." The students in these inns were young, and occupied themselves in learning the first principles of the law. The more advanced students became members of "the Inns of Court, properly so called. Of these

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there were four; and in that which was the least frequented there were about two hundred students." Fortescue goes on to state the expense of maintaining a student at one of those inns, which was so considerable, that persons of inferior rank could not maintain their children there; so that, as the merchants seldom cared to diminish their incomes by sending their children there, the great majority of the students were sons of persons of rank and station. He expressly asserts that it was common for the knights and barons, and the greatest nobility of the kingdom, to place their children in the Inns of Court, for the sake of the education; though, by reason of their large patrimonies, they had no need to seek a living by the profession, and did not intend to practise it in after life.*

* Fortescue de Laudibus, chapter xlix.

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